

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK

4 -----X
5 UNITED STATES OF AMERICA,

6 PLAINTIFF,

7 -against-

8 Case No.:

9 1:21-cv-05578

10 JUAN REYES and CATHERINE REYES,

11 DEFENDANTS.

12 -----X

13 DATE: December 1, 2022

14 TIME: 9:45 A.M.

15 DEPOSITION of the Defendant,
16 CATHERINE REYES, taken by the Plaintiff,
17 pursuant to a Court Order and to the
18 Federal Rules of Civil Procedure, held at
19 the U.S. Attorney's Office for the Eastern
20 District of New York, 271 Cadman Plaza
21 East, Brooklyn, New York 11201, before
22 Enrique Alvarado, a Notary Public of the
23 State of New York.

24 Job No. CS5573403
25

Exhibit

D

A P P E A R A N C E S :

DEPARTMENT OF JUSTICE TAX DIVISION -
NORTHERN REGION

Attorneys for the Plaintiff
UNITED STATES OF AMERICA
1275 1st Street, NE, Room 9715
Washington , D.C. 20002
BY: JULIA GLEN, ESQ.
Julia.m.glen@usdoj.gov

MAZZOLA LINDSTROM LLP

Attorneys for the Defendants
JUAN REYES and
CATHERINE REYES
1350 Avenue of the Americas, 2nd Floor
New York, New York 10019
BY: RICHARD LERNER, ESQ.
Richard@mazzolalindstrom.com

ALSO PRESENT:

Philip Bednar, Esq.
Department of Justice Tax Division
Northern Division

Juan Reyes

* * *

F E D E R A L S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED by and between the counsel for the respective parties herein that the sealing, filing and certification of the within deposition be waived; that the original of the deposition may be signed and sworn to by the witness before anyone authorized to administer an oath, with the same effect as if signed before a Judge of the Court; that an unsigned copy of the deposition may be used with the same force and effect as if signed by the witness, 30 days after service of the original & 1 copy of same upon counsel for the witness.

IT IS FURTHER STIPULATED AND AGREED that all objections except as to form, are reserved to the time of trial.

* * * *

C. REYES

C A T H E R I N E R E Y E S, called as a
witness, having been first duly sworn by a
Notary Public of the State of New York, was
examined and testified as follows:

EXAMINATION BY

MS. GLEN:

Q. Please state your name for the
record.

A. Catherine Reyes.

Q. What is your address?

A. 72 Dartmouth Street, Forest
Hills, New York 11375.

MS. GLEN: Good morning. My
name is Julia Glen. I'm a trial
attorney with the Department of
Justice Tax Division and with me is
also my co-counsel, Phil Bednar.
We're representing the United States
in the matter of United States versus
Reyes; case number 1:21-cv-05578,
currently pending in the United
States District Court for the Eastern
District of New York. Counsel, could
you please make your appearance for

1 C. REYES

2 the record?

3 MR. LERNER: Richard E. Lerner
4 of Mazzola Lindstrom, LLP, 1350
5 Avenue of the Americas, New York, New
6 York.

7 Q. Before we get into any of the
8 substantive questions of the case, about
9 the case, I am going to go through a little
10 bit of background information and make sure
11 you're comfortable with the deposition that
12 we're going to take today. Okay?

13 A. Okay.

14 Q. The court reporter just
15 administered the oath, correct?

16 A. Yes.

17 Q. And do you understand that
18 taking the oath requires you to tell the
19 truth?

20 A. I do.

21 Q. Have you ever been deposed
22 before?

23 A. No.

24 Q. We're just going to go over a
25 few general guidelines of what a deposition

1 C. REYES

2 looks like. I'm going to ask a series of
3 questions about the substance of this case.
4 If I ask you a question that you don't
5 understand, do you agree to let me know and
6 ask me to clarify?

7 A. Okay.

8 Q. If you answer a question, I'm
9 going to presume that you understood what I
10 was asking unless it's very obvious that
11 you didn't understand. Does that make
12 sense?

13 A. Mm-hmm.

14 MR. LERNER: She's next going
15 to say that all of your questions
16 have to be verbal. You just said
17 "mm-hmm". Don't do that.

18 Q. "Mm-hmm" or "a-ha". Sometimes
19 it's hard for the court reporter --

20 A. Not okay either.

21 Q. Sometimes it's hard for the
22 court reporter to transcribe so yes or no,
23 no head nods or head shakes. Does that
24 make sense?

25 A. Yes.

1 C. REYES

2 Q. I will try my best to remind
3 you if I hear it.

4 A. Okay.

5 Q. Again, the court reporter is
6 taking an official transcript so he won't
7 also hear gestures like we're just talking
8 about. We also have to be careful not to
9 talk over each other because he can only
10 transcribe one person talking at a time.
11 So I will do my best to wait until you're
12 finished answering and do you agree to do
13 your best to wait until I finish asking?

14 A. Yes.

15 Q. And you're represented by an
16 attorney for the purpose of this
17 deposition, correct?

18 A. Yes.

19 Q. And that's Mr. Lerner?

20 A. Yes.

21 Q. And Mr. Lerner may object to a
22 question that I ask. If he does, please
23 let him state his objection for the record
24 but then you can answer the question unless
25 he specifically tells you not to. Does

1 C. REYES

2 that make sense?

3 A. Yes.

4 Q. If a question is pending, you
5 can't talk to anyone, either Mr. Lerner or
6 your our husband, Dr. Reyes, who is also
7 present today, until that question is
8 finished. Does that make sense?

9 A. Yes.

10 Q. During break, I ask that you
11 not discuss your testimony with anyone. Do
12 you agree to that?

13 A. Yes.

14 Q. Finally, at any point during
15 the deposition today, if you need a break,
16 please let me know. I admit that I'm not
17 the best at taking breaks during
18 depositions so if you do need one please
19 let me know, and although I can't guarantee
20 that we'll be able to take one at that
21 moment, if it's close towards the end of
22 the line of questioning, we can take one at
23 that time. Does that make sense?

24 A. Yes.

25 Q. Do you have any questions about

1 C. REYES

2 what to expect today?

3 A. No.

4 Q. If you, can please state your
5 full name for the record.

6 A. Catherine Reyes.

7 Q. Do you go by any other names?

8 A. No.

9 Q. Any nicknames?

10 A. No.

11 Q. How do you spell your first
12 name?

13 A. C-A-T-H-E-R-I-N-E.

14 Q. Do you ever spell your first
15 name with a K instead of a C?

16 A. Yes.

17 Q. Why is that?

18 A. When I was in the fifth grade,
19 it was easier to make a C than a K and it
20 looked nicer.

21 Q. Understandable. Is there any
22 medical reason, such as a condition or
23 medication that you have taken, that would
24 make it so that you're unable to answer
25 questions truthfully today?

1 C. REYES

2 A. No.

3 Q. Is there a medical reason, a
4 condition or medication, that would affect
5 your memory?

6 A. No.

7 Q. Are you currently under the
8 influence of any medication, or other
9 substances, that may affect your ability to
10 answer my questions today?

11 A. No.

12 Q. Do you feel ill or sick today?

13 A. No.

14 Q. I'm about to ask you a few
15 questions about what you did to prepare for
16 today's deposition, but before I do, I just
17 want to make clear that I'm not asking for
18 the substance of any of these conversations
19 that you had with your attorney, Mr.
20 Lerner. Does that make sense?

21 A. Yes.

22 Q. What did you do to prepare for
23 today's deposition?

24 A. Talk to my husband.

25 Q. Did you read any documents or

1 C. REYES

2 --

3 A. No.

4 MR. LERNER: Let me just --
5 though she said she's not asking for
6 the substance of our communications,
7 you can tell her that we spoke.

8 A. Last night.

9 Q. You spoke with Mr. Lerner about
10 this deposition?

11 A. I did, yes.

12 Q. Other than Dr. Reyes and your
13 attorney, did you have any discussions with
14 anyone else to prepare for this?

15 A. No.

16 Q. What is your education
17 background?

18 A. What do you mean?

19 Q. After high school, did you
20 attend any additional education?

21 A. I went to college, yes.

22 Q. Where did you go?

23 A. Hunter.

24 Q. What did you study?

25 A. History.

1 C. REYES

2 Q. Did you complete your education
3 there?

4 A. No.

5 Q. When did you go to school
6 there?

7 A. The early 60s.

8 Q. What is your current
9 occupation?

10 A. I'm a biller for Dr. Reyes'
11 bills because he's still practicing.

12 Q. So you work for your husband,
13 Dr. Reyes, at his medical --

14 A. At home.

15 Q. What is the name of Dr. Reyes'
16 practice?

17 A. Juan D. Reyes, MD, P.C.

18 Q. How long have you been
19 assisting Dr. Reyes in that capacity?

20 A. 50 years.

21 Q. Did you have a job prior to
22 that?

23 A. No.

24 Q. Have you ever owned a business
25 or had an ownership in the business?

1 C. REYES

2 A. No.

3 MR. LERNER: Just for
4 clarification, that would include any
5 interest in any of the LLCs.

6 A. Yes.

7 Q. What LLCs was Mr. Lerner
8 referencing?

9 A. 91 Avaline.

10 Q. And what is 91 Avaline?

11 A. It's a building where Dr. Reyes
12 has his office.

13 Q. Is it a single occupancy
14 commercial building or something else?

15 A. No, there are people living in
16 it.

17 Q. So it's an apartment?

18 A. An apartment building with a
19 store front and the other one is --

20 MR. BEDNAR: Off the record.

21 (Whereupon, an off-the-record
22 discussion was held.)

23 Q. We were talking about 91
24 Avaline. You mentioned that they own a
25 property where Dr. Reyes practices,

1 C. REYES

2 correct?

3 A. Yes.

4 Q. And there are other people who
5 live there, who rent from that building,
6 correct? Are those residential properties?

7 A. Yes.

8 Q. Does 91 Avaline own any other
9 property?

10 A. No.

11 Q. Does it do any other type of
12 business?

13 A. No.

14 Q. And I'm going to go back a
15 little bit. When you say you're a biller
16 for Dr. Reyes, what type of work do you do?

17 A. He brings the bills home and I
18 bill them on the computer.

19 Q. So you take information from
20 Dr. Reyes' practice and you send out
21 correspondence to the clients or what?

22 A. I have nothing to do with the
23 clients.

24 Q. So who do the bills go to?

25 A. Well, it's a different company.

1 C. REYES

2 To Avaline. Well, not to Avaline, to
3 Ability Network; I use them for billing.

4 Q. Do you work with anyone else in
5 that capacity?

6 A. No.

7 Q. Other than Dr. Reyes?

8 A. No.

9 Q. Do you consult with an adviser
10 or accountant?

11 A. For the office bills?

12 Q. Yes.

13 A. No.

14 Q. We're talking about 91 Avaline
15 and are you a full owner of that LLC or
16 what percentage ownership do you have?

17 A. Like five percent.

18 Q. Who is the majority owner?

19 A. Dr. Reyes I guess.

20 Q. Is there anyone else who has an
21 ownership interest in 91 Avaline?

22 A. My son.

23 Q. Who is your son?

24 A. Juan Reyes.

25 Q. Does anyone else?

1 C. REYES

2 A. No.

3 Q. Do you know their percentage
4 breakdown of ownership?

5 A. No.

6 Q. What is your address?

7 A. 72 Dartmouth Street, Forest
8 Hills, New York.

9 Q. How long have you lived there?

10 A. Almost 50 years.

11 Q. Do you reside anywhere else?

12 A. No.

13 Q. What was your address between
14 2010 and 2012?

15 A. The same.

16 Q. Have you ever resided outside
17 of the United States?

18 A. No.

19 Q. Have you ever temporarily lived
20 outside of the United States?

21 A. No.

22 Q. Have you ever lived or resided
23 in Guatemala?

24 A. No.

25 Q. Have you ever lived or resided

1 C. REYES

2 in Switzerland?

3 A. No.

4 MR. LERNER: Off the record.

5 (Whereupon, an off-the-record
6 discussion was held.)

7 Q. Have you ever lived in the
8 United Kingdom?

9 A. No.

10 Q. Have you ever done business in
11 Switzerland?

12 A. No.

13 Q. Have you ever been employed by
14 anyone in Switzerland?

15 A. No.

16 Q. Have you ever had any business
17 connections to Switzerland?

18 A. No.

19 Q. We'll do a few similar
20 questions with the United Kingdom. Have
21 you ever done business in the United
22 Kingdom?

23 A. No.

24 Q. Have you ever been employed by
25 anyone in the United Kingdom?

1 C. REYES

2 A. No.

3 Q. Have you ever had any business
4 connections to the United Kingdom?

5 A. No.

6 Q. Do any of your family members
7 live in Switzerland?

8 A. No.

9 Q. Do any of your family members
10 live in the United Kingdom?

11 A. Yes.

12 Q. Who?

13 A. Cousins.

14 Q. What are their names?

15 A. Well, they're dead now. Joyce
16 and Dereck Kruger.

17 Q. When did they pass?

18 A. About eight years ago, nine
19 years ago.

20 Q. Have you ever traveled to the
21 United Kingdom?

22 A. Yes.

23 Q. Was it to visit the family
24 members you just stated?

25 A. Yeah.

1 C. REYES

2 Q. When did you travel to the
3 United Kingdom?

4 A. I guess ten years ago was the
5 last time.

6 Q. Did you travel there before
7 then?

8 A. Yeah.

9 Q. When?

10 A. I used to go every, like, two
11 years.

12 Q. What was the purpose for those
13 visits?

14 A. To visit my cousins.

15 Q. Was there any other purpose?

16 A. To go to the theater.

17 Q. What type of theater did you
18 see?

19 A. The plays are cheaper than New
20 York.

21 Q. Was that in London or somewhere
22 else?

23 A. London. I used to love to go
24 to the museum there, too.

25 Q. Did you take those trips alone

1 C. REYES

2 or with someone else?

3 A. I traveled with my husband.

4 Q. When you refer to your husband,
5 it's Dr. Reyes?

6 A. Dr. Reyes, yes.

7 Q. Did anyone else ever go with
8 you?

9 A. My son. He was sworn in and he
10 passed the bar in England so I went over
11 for the swearing in.

12 Q. What son?

13 A. Juan Reyes.

14 Q. He lived in the United Kingdom?

15 A. No, but he took the bar.

16 Q. Does he practice in the United
17 Kingdom?

18 A. He doesn't, but he passed the
19 bar.

20 Q. But he could?

21 A. He could, yes.

22 Q. Have you ever traveled to
23 Switzerland?

24 A. Never.

25 Q. Are you a United States

1 C. REYES

2 citizen?

3 A. Yes.

4 Q. Are you a citizen of any other
5 country?

6 A. Ireland.

7 Q. When did you get Irish
8 citizenship?

9 A. About six, seven years ago.

10 Q. Is Dr. Reyes a United States
11 citizen?

12 A. Yes.

13 Q. Is he a citizen of any other
14 country?

15 A. Nicaragua.

16 Q. What was your phone number in
17 2010?

18 A. (718)793-7075.

19 Q. Is that currently your phone
20 number?

21 A. Ever since we lived in our
22 house, it's always been the same number.

23 Q. Do you have a cellphone?

24 A. No, I'm archaic.

25 Q. Do you know who --

1 C. REYES

2 MS. GLEN: Strike that.

3 Q. So we've talked about it a
4 little bit but I'm going to ask you
5 directly. Are you married to Dr. Juan
6 Reyes?

7 A. I hope so.

8 Q. All jokes aside, is that a yes?

9 A. Yes.

10 Q. And Dr. Reyes is a doctor,
11 correct?

12 A. Yes.

13 Q. What type of doctor is he?

14 A. He's a surgeon.

15 Q. What type of surgery does he
16 do?

17 A. General.

18 Q. If I refer to Dr. Reyes as Dr.
19 Reyes throughout this deposition, will you
20 understand that I'm speaking of your
21 husband?

22 A. Yes.

23 Q. How long have you been married?

24 A. 57 years.

25 Q. Do you and Dr. Reyes share any

1 C. REYES

2 children?

3 A. We have three. My oldest son
4 died in a car accident about ten years ago.

5 Q. Sorry to hear of his passing.
6 What was his name?

7 A. Alexander.

8 Q. What are your other children's
9 names?

10 A. Juan Reyes and Katherine Reyes.

11 Q. Do either of them go by a
12 suffix, like the third or junior?

13 A. Juan Reyes and my son is Juan
14 D. Reyes III.

15 Q. And your daughter?

16 A. Catherine with a K.

17 Q. You mentioned that your son,
18 Juan Reyes, is an attorney, correct?

19 A. Yes.

20 Q. Does he currently practice?

21 A. Yes.

22 Q. When did he start practicing
23 law?

24 A. I don't remember.

25 Q. Was it before or after 2010?

1 C. REYES

2 A. I don't know. Before maybe.

3 I'm not sure.

4 Q. How old is he?

5 A. 53.

6 Q. Do you know what practice areas
7 he practices in?

8 A. Real estate.

9 Q. Does he do anything else?

10 A. Transportation.

11 Q. Has he always practiced in real
12 estate and transportation?

13 A. I think he's always practiced
14 in real estate.

15 Q. Have you ever asked for, or has
16 your son, Mr. Reyes, ever given you legal
17 advice?

18 A. No.

19 Q. Has your son, Juan Reyes, ever
20 advised you on tax reporting requirements?

21 A. No.

22 Q. Did you ever discuss your taxes
23 with Mr. Reyes?

24 A. No.

25 Q. Has he ever represented you, in

1 C. REYES

2 any capacity, in relation to Lloyds Bank,
3 the account that's at issue in this
4 litigation?

5 A. No.

6 Q. It's my understanding that Dr.
7 Reyes' parents have passed but when they
8 were alive what was your relationship like
9 with them?

10 A. It was good.

11 Q. Did you talk to them
12 frequently?

13 A. His mother was very kind. I
14 did. We'd go to Nicaragua.

15 Q. Did you ever speak to them over
16 the phone?

17 A. Yeah, I think so.

18 Q. How frequently would you say
19 you spoke with them?

20 A. His mother came to visit as
21 well to see my children. We'd go to
22 Nicaragua to visit them.

23 Q. Could you say once a month,
24 more or less?

25 A. I don't know. She wanted us to

1 C. REYES

2 live there.

3 Q. So not enough is what I'm
4 hearing?

5 A. She wanted us to live there and
6 she had money for us because she had land
7 there. She wanted us to build a house and
8 live there and, in fact, when we first got
9 married, I thought in about a year we were
10 going to move to Nicaragua but somehow it
11 didn't happen.

12 MR. LERNER: That brings us to
13 being here today.

14 Q. And throughout your marriage,
15 have you filed tax returns jointly with Dr.
16 Reyes?

17 A. Yes.

18 Q. Did you file joint federal
19 income tax returns for income tax years
20 2010, 2011, and 2012?

21 A. I guess so. I don't really
22 remember.

23 Q. You don't have any recollection
24 of filing separately?

25 A. Never.

1 C. REYES

2 Q. Did you prepare your own income
3 tax returns for 2010, 2011 and 2012, or did
4 you have them prepared by someone else?

5 A. Yeah, Sidney Yoskowitz.

6 Q. Who is Sidney Yoskowitz?

7 A. An accountant.

8 Q. Where did or does Sidney
9 Yoskowitz work?

10 A. He's retired a while now.

11 MR. LERNER: Isn't he deceased?

12 THE WITNESS: Is he?

13 MR. LERNER: You didn't know?

14 THE WITNESS: When did he die?

15 Poor Sidney. I feel so bad.

16 Q. Where did he work when he
17 assisted you?

18 A. Where did he work?

19 Q. Was in G.R. Reid CPA --

20 A. No, he had his own practice and
21 toward the end he joined G.R. Reid.

22 Q. So he helped you before he
23 moved there --

24 A. The years he did our taxes.
25 Great Neck, New York, that's where he

1 C. REYES

2 practiced.

3 Q. After he moved to G.R. Reid,
4 did he also assist you then?

5 A. He did until he retired.

6 Q. And did Mr. Yoskowitz help you
7 for 2010, 2011, and 2012?

8 A. I guess.

9 Q. Did anyone else ever help you?

10 MR. LERNER: Off the record.

11 (Whereupon, an off-the-record
12 discussion was held.)

13 Q. How did you inform
14 Mr. Yoskowitz of the information to put
15 into your income tax returns for 2010, '11
16 and '12?

17 A. He'd send somebody to the house
18 and they'd collect it.

19 Q. When you say they'd collect it,
20 do you mean paperwork?

21 A. Paperwork, yeah.

22 Q. Did you include notes or what
23 was this paperwork?

24 A. Just forms from insurance
25 companies, whatever.

1 C. REYES

2 Q. Did you ever meet with your
3 return preparer when you provided him the
4 information for 2010, '11 and '12?

5 A. Probably not.

6 Q. Would you ever meet with him?

7 A. Not really. He faxed it over,
8 we'd sign it, and send it back.

9 Q. You don't recall having any --

10 A. I don't remember.

11 Q. Did you use a tax organizer?

12 A. What's that?

13 MR. LERNER: That answers the
14 question.

15 A. What is that?

16 Q. After the income tax preparer
17 returned your returns for 2010, '11 and
18 '12, what happened next?

19 A. I don't know. I don't
20 remember.

21 Q. You said he faxed them to you.

22 A. And then I faxed them back.

23 Q. So you didn't go to his office
24 and pick them up?

25 A. No.

1 C. REYES

2 Q. Did you review and confirm the
3 accuracy of the income tax return for 2010
4 before signing and faxing it back?

5 A. No.

6 Q. Did you return and confirm the
7 accuracy of the income tax return for 2011
8 before signing it and faxing it back?

9 A. No.

10 Q. Did you review and confirm the
11 accuracy of the income tax returns for
12 2012?

13 A. No.

14 Q. Before signing and faxing it
15 back?

16 A. No.

17 Q. How did you submit the returns
18 for 2010, '11 and '12? Was it by paper or
19 were they e-filed?

20 A. I think the accountant did it.
21 He probably e-filed it.

22 Q. You have no independent
23 knowledge of how they were filed?

24 A. I don't remember.

25 Q. And I know you said that you

1 C. REYES

2 didn't meet with the preparer before he
3 filed the returns but did you ever meet
4 with him after?

5 A. After he filed them? No.

6 Q. Id you ever discuss foreign
7 bank accounts with your tax return
8 preparer?

9 A. No.

10 Q. Did you ever mention the bank
11 account at Lloyds Bank in London to your
12 tax return preparer?

13 A. No.

14 Q. Did you ever mention or discuss
15 a bank account at Lloyds Bank in
16 Switzerland with your tax return preparer?

17 A. No.

18 Q. Did you ever mention a bank
19 account at a bank in Nicaragua to your tax
20 return preparer?

21 A. No.

22 Q. Was there --

23 A. Because that wasn't really --

24 Q. You can go ahead.

25 A. Okay.

1 C. REYES

2 Q. Earlier you talked about the
3 stack of documents you would send over to
4 the tax return preparer. Do you recall
5 talking about that?

6 A. (Nodding).

7 Q. You're nodding your head. Is
8 that a yes?

9 A. Did I --

10 Q. When you were talking about
11 when you were preparing your taxes, you
12 said you sent over a stack of documents.
13 Do you recall that?

14 A. No.

15 Q. Earlier today you mentioned --
16 MR. LERNER: Just to clarify,
17 she said someone would come pick up
18 the documents.

19 Q. That someone would come pick up
20 documents. Do you remember talking about
21 that today?

22 A. They would pick up the papers,
23 then whatever.

24 Q. So in those papers, did you
25 ever include documents from bank accounts

1 C. REYES

2 from Lloyds Bank or a bank in Nicaragua?

3 A. No. That bank account in
4 Nicaragua was not ours. It was my
5 husband's parents. They controlled that
6 because that was money that they wanted us
7 to live there.

8 Q. I know that you said one person
9 assisted you with your tax returns from
10 2010 to 2012 but did you seek advice on
11 your taxes from anyone else?

12 A. No.

13 Q. Do you know an individual named
14 Ray Floch, F-L-O-C-H?

15 A. I don't remember.

16 Q. Did you file any foreign income
17 tax returns for the years 2010 to 2012?

18 A. I don't remember.

19 Q. Outside of the United States do
20 you remember filing any returns?

21 A. No, I don't remember.

22 Q. I'm going to show you what I
23 will ask the court reporter to mark as
24 Government Exhibit 1.

25 (Whereupon, 2010 Federal Income

1 C. REYES

2 Tax Return was marked as Government
3 Exhibit 1 for identification as of
4 this date by the Reporter.)

5 Q. This document is Bates Stamped
6 IRS 0000438. Please take a moment to
7 review it. Have you had an opportunity to
8 review Government Exhibit 1?

9 A. Yeah.

10 Q. Is Government Exhibit 1 a true
11 and correct copy of your 2010 federal
12 income tax return?

13 A. I guess. I don't really
14 remember.

15 Q. I will direct your attention to
16 -- do you see your name on the top left of
17 the first page under Dr. Reyes?

18 A. Yes.

19 Q. Do you have any reason to
20 believe that Government Exhibit 1 is not a
21 true and correct copy of your form 1040
22 joint income tax return for 2010?

23 A. What do I --

24 Q. Do you have any reason to
25 believe that it's not a true and correct

1 C. REYES

2 copy?

3 A. I guess that it is.

4 MR. LERNER: Objection. She
5 just doesn't remember the document.

6 I --

7 A. I really don't.

8 MR. LERNER: Asking her if
9 there's any reason to believe it's
10 inaccurate, I don't think is
11 appropriate if she has no memory of
12 it but perhaps -- off the record.

13 (Whereupon, an off-the-record
14 discussion was held.)

15 Q. I direct your attention to
16 schedule B, part 1, which starts at Bates
17 stamp 441 of Government Exhibit 1. The
18 Bates Stamp could be found at the bottom
19 right hand corner. Are you there on page
20 441?

21 A. Yes.

22 Q. Do you see at the top here it
23 says Ridgewood?

24 A. Yeah.

25 Q. What is Ridgewood?

1 C. REYES

2 A. It's a bank.

3 Q. Where was that bank or is that
4 bank located?

5 A. In Forest Hills.

6 Q. Where you live in New York?

7 A. Forest Hills.

8 Q. If you can go down a little
9 further on the page, schedule B, line 7A,
10 towards the bottom where it says quote "do
11 you have an interest in or a signature or
12 other authority over a financial account."
13 Do you see that?

14 A. Okay.

15 Q. You checked "no" here, correct?

16 A. I didn't fill this out, the
17 accountant did, and I didn't read anything.

18 Q. Was this document, and other
19 tax returns, prepared based on that set of
20 documents that your tax return preparer
21 picked up from your office or from your
22 house?

23 A. I don't know.

24 Q. In 2010, did you have an
25 interest in or a signature authority, or

1 C. REYES

2 some other authority, over a foreign bank
3 account?

4 A. I don't remember.

5 Q. Even though you don't remember
6 Government Exhibit 1, did you sign a joint
7 federal income tax return for 2010?

8 A. If Sidney sent it to me I
9 signed it.

10 Q. Did you file an amended return
11 for income tax year 2010?

12 A. I don't recall.

13 Q. I'm going to show you what I
14 will ask the court reporter to mark as
15 Government Exhibit 2.

16 (Whereupon, 2010 1040X Income
17 Tax Form was marked as Government
18 Exhibit 2 for identification as of
19 this date by the Reporter.)

20 THE WITNESS: Is this the same
21 year?

22 Q. Government Exhibit 2 is Bates
23 Stamped IRS 0001005 through 1014. If you
24 can take a moment to review this. Have you
25 finished reviewing government Exhibit 2?

1 C. REYES

2 A. I guess so, yes.

3 Q. I direct your attention to page
4 two. Is that your signature towards the
5 bottom right?

6 A. Yes.

7 Q. Is Government Exhibit 2 a true
8 and correct copy of IRS form 1040X that you
9 signed for income tax year 2010?

10 A. Well, Sidney did this and I
11 signed it.

12 Q. Is that a yes?

13 A. Yes.

14 Q. Directing your attention to
15 schedule B, line 7, on Bates Stamp IRS
16 1012. It's towards the back of Exhibit 2.
17 Are you there?

18 MR. LERNER: She's there.

19 Q. Line 7 at the bottom. You
20 checked "yes", correct?

21 A. Yes.

22 Q. Why did you check "yes" on your
23 amended return and "no" on the original
24 return?

25 A. I don't know really. Because I

1 C. REYES

2 guess because we decided since my -- I
3 don't remember exactly.

4 Q. When you say "we decided," who
5 are you including in "we"?

6 A. My husband.

7 Q. Did any circumstances change
8 between filing your original return and
9 this amended return?

10 A. I don't remember.

11 Q. Did circumstances surrounding
12 any foreign bank accounts change between
13 filing your original return and the amended
14 return?

15 A. I don't remember.

16 Q. Before we move to the next
17 exhibit, just one final question. Why
18 didn't you report the income from your
19 foreign account on your original return but
20 you did on this amended return?

21 MR. LERNER: Objection. You
22 can answer.

23 A. Why didn't we report it?
24 Because it wasn't really ours. It was my
25 in-laws' account.

1 C. REYES

2 Q. Towards the top of the same
3 page, Bates Stamped IRS 0001012, there's a
4 line that says Lloyds TSB Bank. Do you see
5 that?

6 A. Okay.

7 Q. What is that entry referencing?

8 A. From what I recall, this money
9 was in Nicaragua and my in-laws put it into
10 Lloyds because they weren't -- they were
11 concerned about the security of Nicaraguan
12 banks so it was in that bank.

13 Q. So Lloyds TSB Bank refers to an
14 account at Lloyds Bank?

15 A. It was originally in Nicaragua.

16 Q. So the amount next to the
17 Lloyds TSB Bank where it says 57,250, what
18 does that number represent?

19 A. I don't know.

20 Q. Is that the amount of money in
21 the Lloyds TSB Bank account as of 2010?

22 A. I don't know. I don't know.

23 Q. The interest related to the
24 Lloyds Bank account in 2010?

25 A. I don't know.

1 C. REYES

2 Q. So staying on this schedule, or
3 on this page, could you read what the title
4 of this page is?

5 A. "Interest in ordinary
6 dividends".

7 Q. And to the left it says
8 schedule B. Do you see that?

9 A. Yes.

10 Q. What does that mean?

11 A. I don't know.

12 Q. And then under part 1, do you
13 see where it says part 1 on the left?

14 A. Yes.

15 Q. If you could take a second to
16 read the text below that and to the right
17 of that. Let me know when you're finished.

18 A. Okay.

19 Q. What does that mean to you?

20 A. This is a list of interests on
21 the right.

22 Q. So did you list the name of the
23 payer and the interest from a seller
24 financed mortgage, and the buyer used the
25 property as personal residence, did you

1 C. REYES

2 list the name of anyone if there's interest
3 for 2010 under this column?

4 A. What does that mean?

5 MR. LERNER: Say you don't
6 understand the question.

7 A. I don't understand it.

8 Q. Did you list the name of any
9 interest that you received in 2010 in this
10 part 1 interest?

11 A. Did I list it? You mean -- I
12 don't know.

13 MR. LERNER: But "did you list
14 it," did you mean did Mr. Yoskowitz
15 list it?

16 THE WITNESS: Yeah, he did.

17 Q. And you signed this document,
18 correct?

19 A. I did.

20 Q. And by signing this document
21 you attest to the accuracy of this
22 document, correct?

23 A. I guess so.

24 (Whereupon, 2011 Federal Income
25 Tax Return was marked as Government

1 C. REYES

2 Exhibit 3 for identification as of
3 this date by the Reporter.)

4 Q. Government Exhibit 3 is Bates
5 Stamped IRS 0000443 through 0000450. Take
6 a moment to review it. What is Government
7 Exhibit 3?

8 A. What is it?

9 Q. Yes.

10 A. It's tax returns for 2011.

11 Q. For whom?

12 A. Dr. Reyes and myself.

13 Q. On the second page, Bates
14 Stamped IRS 444, does Mr. Yoskowitz's name
15 appear there?

16 A. Yes.

17 Q. Is this a true and accurate
18 copy of the form 140 individual income tax
19 return for 2011 that Mr. Yoskowitz filed on
20 your behalf?

21 MR. LERNER: Objection.

22 A. I guess. It's not signed.

23 Q. Direct your attention to the
24 schedule B starting on IRS 446. Do you see
25 where it says part 1 interest?

1 C. REYES

2 A. It says 292?

3 Q. Yes.

4 A. Yes.

5 Q. What is listed as interest for
6 2011 on IRS 446?

7 A. \$292.

8 Q. From where?

9 A. Chase.

10 Q. What does that mean?

11 A. It's interest from Chase.

12 Q. Is it interest from Chase that
13 you and Dr. Reyes received in 2011?

14 A. I guess so.

15 Q. Directing your attention at the
16 bottom of that page where it says part 3,
17 do you see that?

18 A. Yeah.

19 Q. Under line 7A, it asks about a
20 financial interest. Do you see that?

21 A. Yeah.

22 Q. It's checked no, correct?

23 A. I did do that. Sidney did my
24 returns.

25 Q. When you say Sidney, you're

1 C. REYES

2 referring to Mr. Yoskowitz?

3 A. That's right.

4 Q. Did he create your return for
5 2011 based on the information you provided
6 him?

7 A. Yes.

8 Q. Did you provide him with any
9 information about a foreign bank account?

10 A. I don't recall.

11 Q. Did you have an interest in
12 foreign bank account in 2011?

13 A. I guess so.

14 Q. Did you file an amended return
15 for income tax year 2011?

16 A. If Sidney signed it -- if
17 Sidney did, we did.

18 MS. GLEN: I'm going to ask the
19 court reporter to mark what will be
20 marked Government Exhibit 4.

21 (Whereupon, 2011 Amended 1040X
22 Tax Return was marked as Government
23 Exhibit 4 for identification as of
24 this date by the Reporter.)

25 Q. Take a moment to look at

1 C. REYES

2 Government Exhibit 4. If you could turn to
3 page 2 of Government Exhibit 4, Bates
4 Stamped IRS001016, is that your signature?

5 A. Yes.

6 Q. Is this a true and accurate
7 copy of the form 1040X Amended US
8 individual tax return that you signed and
9 filed for income tax year 2011?

10 A. I guess so.

11 Q. I will now direct --

12 A. This says 2014.

13 Q. When you say 2014, are you
14 looking at the date next to your signature?

15 A. I am.

16 Q. Can you go back to the first
17 page. Towards the top, do you see the
18 first line where it says "this return is
19 for calender year"? The top left.

20 A. I see it. 2011.

21 Q. Why did you file an amended
22 return for 2011?

23 A. Because it was the right thing
24 to do.

25 Q. Why is that?

1 C. REYES

2 A. I guess because we -- this is
3 money that we paid the interest on it.

4 Q. When you say "we," who are you
5 referring to?

6 A. Dr. Reyes and myself.

7 Q. What moneys did you pay the
8 interest on or were paid interest on that
9 you're referring to?

10 A. The Lloyds account.

11 Q. And the Lloyds account, is that
12 the account that's at issue in this
13 litigation?

14 A. Excuse me?

15 Q. The Lloyds account, is that the
16 account that's at issue in this litigation?

17 MR. LERNER: Do you understand
18 the question?

19 THE WITNESS: Yes.

20 Q. Is that answer to my question
21 or to Mr. Lerner?

22 A. Yes, it was.

23 Q. I direct your attention to
24 schedule B, which is IRS -- at the bottom
25 -- IRS Bates Stamp 0001023. Do you see the

1 C. REYES

2 section part 1 interest?

3 A. Yeah.

4 Q. What is listed here?

5 A. Chase and Lloyds.

6 Q. Is that Lloyds Bank TSB, the
7 account that you were just talking about?

8 A. Yes.

9 Q. And you reported \$49,007 in the
10 amount of interest, correct?

11 A. That's what is reported.
12 Sidney is the one who did this.

13 Q. And you signed this return,
14 correct?

15 A. Yes.

16 Q. And at the bottom, where it
17 says part 3, on line 7, A and B, you
18 checked "yes" here, correct?

19 A. Yes.

20 Q. Why did you check yes on
21 Government Exhibit 4, the amended return,
22 but no on government Exhibit 3, the
23 original return?

24 A. Sidney did it, I didn't. I
25 have no clue how to do any of these things.

1 C. REYES

2 Q. And on line 7 of Government
3 Exhibit 4, where you checked "yes," was
4 that in reference to the Lloyds account or
5 something else?

6 A. I guess so. It was -- I guess
7 so.

8 Q. You guess it was associated
9 with the Lloyds account?

10 A. I guess so, yeah.

11 Q. Was it referencing any other
12 foreign account?

13 A. No.

14 Q. Why didn't you report the
15 income from your foreign account on your
16 original return but you did on the amended
17 return for 2011?

18 A. Because I didn't control it.

19 Q. Who controlled it?

20 A. My in-laws.

21 Q. When you say "it," what are you
22 referring to?

23 A. My husband's mother and father.

24 Q. So it's your testimony, in
25 2011, Dr. Reyes' parents controlled the

1 C. REYES

2 Lloyds account?

3 A. I think so.

4 Q. What makes you believe that to
5 be true?

6 A. Because they wanted us to live
7 in Nicaragua but things changed. There was
8 a revolution there and it was terrible. My
9 nephew was murdered and mutilated and I had
10 the girls living with me for three years,
11 the children, because they were in danger.
12 Their brother was the who was killed. It
13 was a terrible situation.

14 Q. When you say "the girls," who
15 are you referring to?

16 A. My nieces. My husband's
17 brother's daughters.

18 Q. When did that happen?

19 A. I don't remember exactly.

20 Q. Was it before or after 2010?

21 A. It was before.

22 Q. How far before, five years?

23 A. I'm not sure.

24 Q. When did Dr. Reyes' parents
25 pass?

1 C. REYES

2 A. I don't remember the year.

3 Q. Was it before or after your
4 nieces came to live with you?

5 A. It had to have been after.

6 Q. Was it before or after 2010?

7 A. I'm not sure.

8 Q. Whose name was on the Lloyds
9 Bank account that's at issue in this
10 litigation?

11 A. It was originally my
12 mother-in-law and his father.

13 Q. When you say "his father," are
14 you referencing Dr. Reyes?

15 A. Yes.

16 Q. Did that ever change?

17 A. I never really had control of
18 the account. I don't know.

19 Q. Did your name ever appear on
20 the Lloyds account?

21 A. It's possible that it did.

22 Q. I'm going to show you know what
23 will be marked as Government Exhibit 5 and
24 I will ask the reporter to mark Government
25 Exhibit 5.

1 C. REYES

2 (Whereupon, 2012 Federal Income
3 Tax Return was marked as Government
4 Exhibit 5 for identification as of
5 this date by the Reporter.)

6 Q. Government Exhibit 5 is Bates
7 Stamped IRS 0000451 through IRS 0000458.
8 You can take a moment to review this. What
9 is Government Exhibit 5?

10 A. 2012 tax return.

11 Q. For whom?

12 A. For Juan and Catherine Reyes.

13 Q. I draw your attention to page 2
14 at the bottom. Who was this prepared by?

15 A. Sidney Yoskowitz.

16 Q. Is this a true and accurate
17 copy of the form 1040 US income tax return
18 for you and Dr. Reyes in 2012?

19 A. I guess so.

20 Q. I direct your attention to
21 schedule B, which is on IRS 454. In part
22 1, is anything reported here?

23 A. No.

24 Q. And I direct your attention
25 down to part 3, line 7. Is "no" checked

1 C. REYES

2 for line 7?

3 A. Yes.

4 Q. Did you have any financial
5 interest and/or signature authority over a
6 financial account located in a foreign
7 country in 2012?

8 A. Sidney filled this out. I have
9 no idea what was on it. I just signed it.

10 Q. But in 2012, did you have a
11 foreign interest, in interest in a foreign
12 account?

13 A. I guess so.

14 Q. Then staying on this exhibit,
15 if you can turn to IRS 456, it's a couple
16 pages further. Do you see line 28 towards
17 the top of the page?

18 A. Yes.

19 Q. Earlier we talked about 91
20 Avaline LLC; is that correct?

21 A. Yes.

22 Q. What is 424 Avaline LLC?

23 A. 424 is the building that we're
24 renovating and we're waiting to get a CO, a
25 certificate of occupancy, and we think

1 C. REYES

2 we're almost there, please God.

3 Q. Is this a property located in
4 the Bronx?

5 A. It is.

6 Q. So 424 Avaline LLC owns a piece
7 of property?

8 A. It owns a building that's being
9 rented -- renovated and we're waiting to
10 get the certificate of occupancy, which
11 hopefully will be soon.

12 Q. Who owns or is a member of 424
13 Avaline LLC?

14 A. Dr. Reyes.

15 Q. And are you also an owner or
16 member?

17 A. I might have 5 percent.

18 Q. Dr. Reyes is the majority
19 owner?

20 A. Yes.

21 Q. Is your son also a member?

22 A. He may have a small percentage.

23 Q. Do you know if anyone else
24 does?

25 A. That's it I think.

1 C. REYES

2 Q. And 424 Avaline LLC, does it
3 own any other property or do any other type
4 of business?

5 A. No, that's it.

6 Q. And you intend to rent the
7 spaces in that building; is that correct?

8 A. Yes. We intend to get a
9 mortgage because we're maxed out on it,
10 truly maxed out.

11 Q. And when you say "we," you're
12 referring to Dr. Reyes and --

13 A. Yes.

14 Q. Did you file an amended tax
15 return for 2012?

16 A. Do you have one? If you do, I
17 did.

18 MS. GLEN: I'm going to ask the
19 court reporter to mark what will be
20 marked as Government Exhibit 6.

21 (Whereupon, 2012 Amended 1040X
22 Tax Return was marked as Government
23 Exhibit 6 for identification as of
24 this date by the Reporter.)

25 Q. I'm showing you what the court

1 C. REYES

2 reporter has marked as Government
3 Exhibit 6. It's Bates Stamped IRS 0001028
4 through IRS 0001041. If you can take a
5 moment to review Government Exhibit 6. I
6 direct your attention to the second page.
7 I see you're already there. Is that your
8 signature?

9 A. It is.

10 Q. Did you sign Government
11 Exhibit 6?

12 A. I did.

13 Q. Is Government Exhibit 6 a true
14 and accurate copy of the form 1040X Amended
15 US individual income tax return that you
16 signed and filed for 2012?

17 A. I guess so.

18 Q. I direct your attention to
19 schedule B, which is Bates Stamped IRS
20 0001033. In part 1 interest, what is
21 listed here?

22 A. The interest from Lloyds.

23 Q. When you say "the interest from
24 Lloyds," what are you referring to?

25 A. \$47,446.

1 C. REYES

2 Q. Is that interest that you and
3 Dr. Reyes made on the Lloyds Bank account
4 in 2012 that's at issue in this litigation?

5 A. Yes, I guess so.

6 Q. Would it be for something else?

7 A. Not to my knowledge.

8 Q. You didn't have a different
9 Lloyds Bank account in 2012, did you?

10 A. No.

11 Q. I direct your attention to the
12 bottom of this page, part 3, line 7, A and
13 B, they're checked "yes", correct?

14 A. Yes.

15 Q. Why did you check "yes" on the
16 amended return and "no" on the original
17 return for 2012?

18 A. Because Sidney did the tax
19 returns and I was totally unaware.

20 Q. Did you have the Lloyds Bank
21 account in 2012?

22 A. Yes.

23 Q. You had interest in that
24 account in 2012?

25 A. Yes.

1 C. REYES

2 Q. Did the circumstances around
3 your interest in the Lloyds Bank account,
4 in 2012, change between you filing the
5 original return and the amended return?

6 A. I don't know.

7 MS. GLEN: I think now is a
8 good time for a break.

9 (Whereupon, a short recess was
10 taken.)

11 Q. Regarding 91 Avaline, when was
12 that LLC created?

13 A. I don't know.

14 Q. More or less than 20 years ago?

15 A. Probably less.

16 Q. Did it exist in the 1990s or
17 was it created in the 2000s?

18 A. Probably in 2000.

19 Q. You talked about it owning a
20 piece of property, correct?

21 A. I don't know when that was
22 created actually. I don't know the year.

23 Q. It owns a piece of property; is
24 that correct?

25 A. Well, the property it's built

C. REYES

on.

Q. When did it purchase that property?

A. When did we purchase it? That's a long story because my husband used to practice with my brother-in-law and, for years, 40 years, I don't know, and then this was a big lawsuit. He tried to steal all the property from us and he tried to say he owned it, and it was a big legal battle, and we finally managed to buy it from him at a cost to us, which was close to a million dollars.

We were home -- we used home equity on my house to get that money and I mean it was really terrible but we managed to get the properties from him, and then the LLCs were created. And the year, I don't know because before they had different names. It was like SAR. His name was Sacata (phonetic) Sacata and Reyes.

Q. Did you purchase that property -- not you. Did the LLC own that

1 C. REYES

2 property before or after 2005?

3 A. No with -- I don't know the
4 year.

5 MR. LERNER: Off the record.

6 (Whereupon, an off-the-record
7 discussion was held.)

8 Q. Referencing the exhibits that
9 have been marked, if you could please take
10 a look at Government Exhibit 4. If you
11 could turn the page that's Bates Stamped
12 IRS 0001024 --

13 A. It's listed here.

14 Q. When you say "it's listed," are
15 you referring to 91 Avaline LLC?

16 A. No.

17 Q. You can keep that page open. I
18 direct your attention to Government
19 Exhibit 2.

20 A. 2?

21 Q. It's a different --

22 A. Okay.

23 Q. If you could look through
24 Government Exhibit 2 -- sorry, referring
25 back to Government Exhibit 4, that's Bates

1 C. REYES

2 Stamp page IRS 0001024, that page you have
3 open already, up at the top left it says
4 schedule E, correct?

5 A. On 4?

6 Q. On the page you already have
7 opened in Government Exhibit 4.

8 A. On what page?

9 Q. Do you see up at the top left,
10 it says schedule E? It's right by the
11 staple.

12 A. Yes.

13 Q. In Government Exhibit 2,
14 there's no schedule E attached; is that
15 correct?

16 A. What page would that be on?

17 Q. It's hard to say because there
18 isn't one attached, correct?

19 A. Right.

20 Q. And Government Exhibit 2 is an
21 amended return from from 2010 and
22 Government Exhibit 4 is an amended return
23 from 2011. Because the LLCs are included
24 in the amended return for 2011, Government
25 Exhibit 4, but not in the amended return

1 C. REYES

2 for 2010, Government Exhibit 2, is it
3 possible that the LLCs were created between
4 2010 and 2011?

5 THE WITNESS: Richard?

6 MR. LERNER: You can answer.

7 Q. Is it possible?

8 A. Maybe.

9 Q. Had they been in existence,
10 "they" being the LLCs, 424 Avaline and 91
11 Avaline, had they been in existence in
12 2010, would information about those have
13 been provided to Mr. Yoskowitz?

14 A. I guess so but I don't know.

15 Q. Did you ever receive rental
16 payments from the property owned by 91
17 Avaline LLC?

18 A. Yes.

19 Q. When did you receive rent
20 payments?

21 A. We received them every month
22 and you know what, the rent pays all the
23 bills; there's nothing left over.

24 Q. Did you receive rental payments
25 in 2010?

1 C. REYES

2 A. If we owned it, we did.

3 Q. So you received rent payments
4 from the tenants at the building owned by
5 91 Avaline LLC every year that you owned
6 it, is that fair?

7 A. (Nodding).

8 Q. You didn't answer out loud.

9 A. How much?

10 Q. No. Did you receive rent
11 payments every year?

12 A. Yes, we received rent.

13 Q. If you owned it?

14 A. Yes.

15 Q. How much were the rental
16 payments?

17 A. The total, I don't know. It
18 pays the gas, it pays the electric, it all
19 goes back into the building. There's no,
20 nothing left over, because that's all
21 reported to the accountant.

22 Q. And when you say --

23 A. Because the truth is those are
24 rent controlled buildings and the rents are
25 very low because they're in low income

1 C. REYES

2 areas of Brooklyn.

3 MR. LERNER: Off the record.

4 (Whereupon, an off-the-record
5 discussion was held.)

6 Q. I asked you about a tax
7 organizer and you didn't know what that
8 was. Do you remember that?

9 A. A what?

10 Q. I asked you about a tax
11 organizer and you said you didn't know what
12 that was; is that correct?

13 A. Yes.

14 Q. When you were working with
15 Mr. Yoskowitz, and you provided him
16 information, did you fill out a survey or
17 questionnaire?

18 A. No.

19 Q. For each tax year?

20 A. No.

21 Q. Did Dr. Reyes fill out some
22 form of survey or questionnaire?

23 A. I don't think so.

24 Q. When you accumulated or
25 combined the documents that were picked up

1 C. REYES

2 by your CPA, who did that? Who put the
3 documents together?

4 A. I did.

5 Q. What were the sources of those
6 documents?

7 A. Insurance companies. People
8 who pay us and also you wanted to know
9 about 91. The accountant has access to the
10 bank so he lists all of the checks all the
11 expenses right off and right from the bank,
12 so I don't really have to tell him
13 anything.

14 Q. For 91 Avaline LLC?

15 A. Yes.

16 Q. Is that the same for 424
17 Avaline?

18 A. There's no money there.

19 Q. Does the CPA still have access
20 to the bank account?

21 A. Yes.

22 Q. Back to how you compile the
23 documents. You said you got information
24 from the insurance companies?

25 A. Yeah. Everybody who paid Dr.

1 C. REYES

2 Reyes, they send one of these 1099 forms or
3 whatever they call it. I put them all
4 under a tray and then when they call me,
5 they're going to do the taxes, I pull them
6 out and put them in an envelope and mail
7 them.

8 Q. How did you determine which
9 forms to put in the tray?

10 A. It says 1099 and they have to
11 be reported and that's what I did.

12 Q. How did you know that the 1099s
13 had to be reported?

14 A. Everybody knows that, right? I
15 guess. I know.

16 Q. Did you talk to anyone about
17 the 1099s?

18 A. No. I just -- I mail them
19 everything, whatever they used, they use
20 it. Whatever they didn't use, then they
21 didn't use it.

22 Q. Aside from the 1099s from
23 insurance companies or whoever paid Dr.
24 Reyes for services as a medical
25 professional, did you provide any other

1 C. REYES

2 information?

3 A. I thought that's all I needed.

4 Q. Did you receive any documents
5 from your banks, for the years at issue,
6 that you provided to Mr. Yoskowitz?

7 A. That was included because the
8 bank would send also.

9 Q. What would the bank send you?

10 A. Interest and stuff like that I
11 guess.

12 Q. And when you say, or when I say
13 "the bank," what are you referring to? Who
14 would send you those papers?

15 A. They would come from Chase.

16 Q. And in 2010, 2011 and 2012, did
17 you receive information from Chase Bank
18 that you provided to your CPA?

19 A. I guess.

20 Q. Did you receive information
21 from any other financial institutions in
22 2010, '11, '12?

23 A. No.

24 Q. I'm sorry?

25 A. No, not that I recall.

1 C. REYES

2 Q. When you were gathering those
3 documents for your CPA to pick up, did you
4 ever have any questions that you would
5 reach out to anyone and ask for advice on
6 how to compile or what information to
7 compile?

8 A. No, I just mailed them off.

9 Q. Did you ever discuss with Dr.
10 Reyes what information to include?

11 A. No.

12 Q. Did your CPA ever follow up
13 with you asking for more information in
14 2010, '11 and '12?

15 A. I don't remember.

16 Q. Do you recall your CPA ever
17 asking you for more information?

18 A. No.

19 Q. Did Mr. Yoskowitz work
20 primarily with you or Dr. Reyes in
21 compiling and preparing your 2010, '11 and
22 '12 returns?

23 A. I guess both of us. I don't
24 know. I don't remember.

25 Q. How did you primarily

1 C. REYES

2 communicate with him?

3 A. I didn't really. If he needed
4 something, he would call me.

5 Q. When he needed something, what
6 would he be needing from you?

7 A. I don't remember.

8 MR. LERNER: Off the record.

9 (Whereupon, an off-the-record
10 discussion was held.)

11 MS. GLEN: While we were off
12 the record, Mr. Lerner and I had a
13 conversation and we established that
14 911 Avaline LLC and 424 Avaline LLC
15 were created on February 22, 2010.
16 Is that a correct resuscitation of
17 what we discussed, Mr. Lerner?

18 MR. LERNER: Stipulated.

19 MS. GLEN: And you stipulate to
20 that being the correct date?

21 MR. LERNER: Yes.

22 Q. And Mrs. Reyes, the LLCs
23 created on February 22, 2010, you said that
24 once they were created they owned the
25 property; is that correct?

1 C. REYES

2 A. Mm-hmm.

3 Q. You said "mm-hmm". What does
4 that mean?

5 MR. LERNER: "Mm-hmm" isn't an
6 answer.

7 A. Yes.

8 Q. We also talked about how Mr.
9 Yoskowitz worked for himself before he
10 joined a firm, correct?

11 A. He did.

12 Q. And in 2010 through 2012, did
13 he work at the firm or did he work for
14 himself?

15 A. I don't know when he joined
16 Reid.

17 Q. I direct your attention to
18 Government Exhibit 1. Which one do you
19 have in front of you?

20 A. 4.

21 Q. We can stay with Exhibit 4.
22 Government Exhibit 4, can you turn to page
23 2. It says IRS 0001016.

24 A. Yes.

25 Q. Do you see where Mr.

1 C. REYES

2 Yoskowitz's signature is?

3 A. Yes.

4 Q. What does he list as his firm
5 name?

6 A. Yoskowitz CPA.

7 Q. To the right of his signature,
8 what does it say?

9 A. 445 Northern Boulevard, Sidney
10 Yoskowitz and Associates.

11 Q. Is Sidney Yoskowitz and
12 Associates LLP his solo practice?

13 A. He had another accountant
14 working for him. I think they split. I
15 don't know what happened.

16 Q. But before he joined the firm,
17 the Reid CPA firm, was his solo practice
18 called Sidney Yoskowitz and Associates LLP?

19 A. Yes.

20 Q. Other than your home that we
21 previously discussed and the two properties
22 owned by the LLCs, do you own any other
23 real estate?

24 A. No.

25 Q. Do your entities own any other

1 C. REYES

2 real estate?

3 A. Meaning my children?

4 Q. Meaning 91 Avaline or --

5 A. No.

6 Q. Or the other Avaline LLC?

7 A. No.

8 Q. Did you have to take financing
9 out to purchase your home?

10 A. That I live?

11 Q. Correct.

12 A. Yes.

13 Q. What was that?

14 A. A mortgage.

15 Q. How did you obtain that
16 mortgage?

17 A. Well, the people who we bought
18 it from gave us a second mortgage, and in
19 those days there was a mortgage on the
20 house so we took over the existing
21 mortgage.

22 Q. Did anyone assist you with that
23 or did you do that on your own?

24 A. What, the mortgage?

25 Q. Purchasing your home and taking

1 C. REYES

2 over the mortgage.

3 MR. LERNER: Objection. By
4 assisting, do you mean giving legal
5 advice, or financial advice, or do
6 you mean giving money?

7 MS. GLEN: Advising. Let me
8 rephrase.

9 Q. When you purchased your home
10 and you obtained financing, did you seek
11 the advice of anyone, professional or
12 otherwise, in doing so?

13 A. I don't remember.

14 Q. Did you own --

15 MS. GLEN: Strike that.

16 Q. We talked about how 91 Avaline
17 LLC obtained the property that it owns.
18 When 424 Avaline LLC purchased the
19 property, how did that occur?

20 A. Repeat that.

21 Q. How did 424 Avaline LLC
22 purchase the piece of property that it
23 owns?

24 MR. LERNER: Objection. Off
25 the record.

1 C. REYES

2 (Whereupon, an off-the-record
3 discussion was held.)

4 Q. Was the property obtained by
5 424 Avaline LLC obtained in a similar
6 manner as the property obtained by 91
7 Avaline LLC?

8 A. Yes.

9 Q. Did you have any assistance,
10 professionally or otherwise, in that
11 process?

12 A. We had legal.

13 Q. Who represented you in that?

14 A. Richard.

15 Q. When you say "Richard," who are
16 you referring to?

17 A. Lerner.

18 Q. Did you have any other
19 professionals assisting you?

20 A. No.

21 MR. LERNER: Let me just
22 clarify. I was with a large firm at
23 the time so obviously other people
24 were working on it. We had a real
25 estate guy, we had apartment guys

1 C. REYES

2 opening the LLCs. It wasn't all me.

3 Q. Ms. Reyes, did you hear what
4 Mr. Lerner just said?

5 A. I didn't know that.

6 Q. Other than the assistance that
7 Mr. Lerner's firm provided in 2010, did you
8 seek professional guidance from anyone
9 else, like an accountant or a financial
10 adviser?

11 A. No.

12 Q. Did you discuss those purchases
13 with your children?

14 A. No.

15 Q. If you had --

16 MR. LERNER: Objection. First
17 of all, they weren't purchases and
18 can I just go off the record?

19 MS. GLEN: Sure.

20 (Whereupon, an off-the-record
21 discussion was held.)

22 MR. LERNER: Can you read back
23 the last question.

24 (Whereupon, the referred to
25 question was read back by the

1 C. REYES

2 Reporter.)

3 Q. Do you have a revised answer
4 after speaking with Mr. Lerner?

5 A. Yeah, my son, but I don't
6 remember what I said.

7 Q. When you say your son, who are
8 you referring to?

9 A. Juan Reyes III.

10 Q. Did you speak with him in his
11 capacity as an attorney?

12 A. I don't remember.

13 Q. Did you seek advice based on
14 his experience in real estate?

15 A. No.

16 Q. What did you seek his advice
17 for?

18 A. I don't remember. That's a
19 long time ago.

20 Q. But it wasn't because he has
21 experience in real estate?

22 A. No, because that was our
23 property. We worked there for so long and
24 we weren't going to let it go easily.

25 MR. LERNER: Off the record.

1 C. REYES

2 (Whereupon, an off-the-record
3 discussion was held.)

4 Q. When we were off the record, it
5 was stated that your son, Juan Reyes, does
6 zoning about the nuts of bolts of property;
7 is that correct?

8 A. Yes.

9 MR. LERNER: Wait, that's not
10 what I said. Juan Reyes is a zoning
11 attorney. He doesn't -- to my
12 understanding, he doesn't do the nuts
13 and bolts property conveyance work.
14 He focuses on zoning law.

15 Q. Is Mr. Lerner's resuscitation
16 correct, Mrs. Reyes?

17 A. Yes.

18 Q. And do you and Dr. Reyes share
19 a bank account?

20 A. Yes.

21 Q. Do you have joint bank accounts
22 or something else?

23 A. Yes.

24 Q. Yes to joint bank accounts?

25 A. Yes.

1 C. REYES

2 Q. Did you at one point have a
3 joint bank account with Dr. Reyes
4 with Banco de Londres y America del Sur?

5 A. I don't remember that.

6 Q. Did you have a bank account in
7 Nicaragua with Dr. Reyes?

8 A. My mother-in-law did, I didn't.

9 Q. Where was that bank account
10 that your mother-in-law you said had,
11 located?

12 A. In Nicaragua.

13 Q. Was that bank account with
14 Banco de Londres y America del Sur?

15 A. I guess.

16 Q. When was that account open?

17 A. I don't know.

18 MS. GLEN: I'm going to ask the
19 court reporter to mark this exhibit
20 as Government Exhibit 7.

21 (Whereupon, Certificate of
22 Non-Willful Conduct was marked as
23 Government Exhibit 7 for
24 identification as of this date by the
25 Reporter.)

1 C. REYES

2 Q. I would ask you to take a
3 moment to review the Government Exhibit 7.
4 I direct your attention to the last page,
5 Bates Stamp IRS0000295. Is that your
6 signature?

7 A. Yes.

8 Q. I'm going to ask you a series
9 of questions about the bank account at
10 issue in this litigation. This document,
11 what is it titled at the top of Government
12 Exhibit 7?

13 A. Certificate of non-willful
14 conduct.

15 Q. What is Government Exhibit 7?

16 A. I just said that.

17 Q. Did you write this?

18 A. No.

19 Q. Did your husband, Dr. Reyes,
20 write this?

21 A. Yes.

22 Q. By signing this document, did
23 you attest that everything within it is
24 true and correct?

25 A. I just signed it.

C. REYES

Q. I direct your attention to that last page again. It says quote "under penalty of perjury we declare that we have examined this certification and all accompanying schedules and statements to the best of our knowledge and believe they are true and correct." Do you see that?

A. I see what it says.

Q. I'm going to ask you a series of questions. If you need to refer to Government Exhibit 7, to answer them, please do so and just indicate that you're looking at the document as you're doing it. It may be helpful in answering some of the questions that I'm about to ask.

A. Okay.

Q. I'm asking first about the Nicaraguan bank account on IRS 0000289. If you could review this page, the first main paragraph of this page, if you could take a moment to review it.

A. Okay.

Q. Did Dr. Reyes' parents have a bank account in Nicaragua?

1 C. REYES

2 A. Did they?

3 Q. Yes.

4 A. Yeah.

5 Q. Where was that bank account
6 located?

7 A. I think in Managua.

8 Q. At what bank?

9 A. Banco de Londres y America del
10 Sur.

11 Q. When did that account open?

12 A. It says 1972 but I don't really
13 know.

14 Q. Why was the account opened?

15 A. Because my mother-in-law wanted
16 us to live there and it was opened for us.

17 Q. So your mother-in-law placed
18 the funds in this account?

19 A. As far as I know, yes.

20 Q. What was the source of those
21 funds?

22 A. They had property, they had
23 farms, they had shops. My husband comes
24 from a wealthy family in Nicaragua. It was
25 until it was destroyed.

1 C. REYES

2 Q. And they put the money into the
3 account for you, you said, is that correct,
4 your family?

5 A. Yes.

6 Q. What was the purpose of that?

7 A. To live in Nicaragua.

8 MR. LERNER: Asked and
9 answered.

10 Q. So to pay for your family to
11 move to Nicaragua; is that correct?

12 A. And to build a house and to
13 live there.

14 Q. Did you or Dr. Reyes add any
15 funds to the account while it was with
16 Banco de Londres y America del Sur?

17 A. Not to my knowledge.

18 Q. What happened to this account?

19 A. It was transferred to London, I
20 think.

21 Q. And in London what bank was it
22 transferred to?

23 A. Lloyds.

24 Q. Who initiated that transfer?

25 A. I think my mother-in-law.

1 C. REYES

2 Q. I direct your attention to the
3 page -- it's numbered page 3 but it's IRS
4 0000291.

5 A. Yes.

6 Q. If you could please read that
7 first paragraph.

8 MR. LERNER: The top paragraph?

9 MS. GLEN: Yes. It starts the
10 page before but I don't believe that
11 initial text is as relevant to the
12 question that I'm about to ask.

13 MR. LERNER: So begin with the
14 Banco de Londres sentence?

15 MS. GLEN: Correct.

16 A. Okay.

17 Q. Was the account in Nicaragua
18 transferred to Lloyds Bank in London? Was
19 it moved again?

20 A. I really don't remember any of
21 these things, any of the things that are
22 written here.

23 Q. Is there --

24 A. All I do is the medical
25 billing. I didn't do any of this stuff.

1 C. REYES

2 Q. Is there still an account --

3 MS. GLEN: Strike that.

4 Q. Did you have a access to the
5 account at Banco de Londres y America del
6 Sur when it was still in Nicaragua?

7 A. No. I don't know. I don't
8 think so.

9 Q. Why was the account transferred
10 to Lloyds Bank in London?

11 A. I think because of the
12 political situation in Nicaragua, I think.

13 Q. Why Lloyds Bank instead of any
14 other bank?

15 A. I don't know.

16 Q. Were you involved in the
17 conversations associated with this transfer
18 of funds?

19 A. No.

20 Q. Do you know who was involved
21 with this transfer?

22 A. I really don't know.

23 Q. Was your husband, Dr. Reyes,
24 involved in these conversations about
25 whether and where to transfer funds from

1 C. REYES

2 the account in Nicaragua?

3 A. I really don't know.

4 Q. When was the account opened at
5 Lloyds Bank?

6 A. I don't know that either.

7 Q. Was it in the 1990s, or the
8 2000s?

9 A. I don't know.

10 Q. I direct your attention to IRS
11 000029, that first full paragraph in the
12 middle of the page, third main sentence.

13 A. Okay.

14 Q. Did the Lloyds account exist in
15 the early 2000s?

16 A. Probably did.

17 Q. Did you ever visit a branch of
18 Lloyds Bank in London?

19 A. No, I never did.

20 Q. Did you ever visit a branch of
21 Lloyds Bank in the UK?

22 A. No.

23 Q. You said you never did. Did
24 anyone else that you know of?

25 A. I really don't know.

1 C. REYES

2 Q. Did you ever meet with a
3 representative from Lloyds Bank?

4 A. No.

5 Q. Either in person, or on the
6 phone, or some other means of
7 communication?

8 A. I didn't.

9 Q. Do you know anyone who did?

10 A. I don't remember.

11 Q. What type of financial accounts
12 did you have at Lloyds Bank?

13 A. I really don't know what type
14 of account it was. I don't know.

15 MS. GLEN: I'm going to ask the
16 court reporter to mark what will be
17 introduced as Government Exhibit 8.

18 (Whereupon, March 2012
19 Statement of Assets and Liabilities
20 was marked as Government Exhibit 8
21 for identification as of this date by
22 the Reporter.)

23 Q. Government Exhibit 8 is Bates
24 Stamped IRS 0001418 through IRS 0001453.
25 Mrs. Reyes, what is Government Exhibit 8?

1 C. REYES

2 A. It says statement of assets and
3 liabilities, March 2012.

4 Q. To the right of that, that you
5 just read, is your name listed?

6 A. Yes.

7 Q. Underneath your name, it says a
8 client ID number. What is that number?

9 A. I can't see with these glasses.

10 Q. Does that number say [REDACTED] 250?

11 A. I think so.

12 Q. Is [REDACTED] 250 your account number
13 or your client number that's also
14 referenced as an account number for Lloyds
15 Bank?

16 A. I guess so.

17 Q. I direct your attention to the
18 second page, Government Exhibit 8. What is
19 the second page of Government Exhibit 8?

20 A. Fiduciary deposits.

21 Q. So towards the top of the page,
22 in the middle it says statement of assets
23 and liabilities as of 31st March of 2012.
24 Do you see that?

25 A. Yes.

1 C. REYES

2 Q. Right below that, it says
3 portfolio summary. Do you see that?

4 A. Yes.

5 Q. And it lists three sections; is
6 that correct?

7 A. Yes.

8 Q. What are those sections?

9 A. Security and fiduciary
10 deposits.

11 Q. What else?

12 A. Assets.

13 Q. So are there three components:
14 1, accounts; 2, fiduciary deposits, money
15 market instruments, money market funds and
16 3, securities?

17 A. That's what it says.

18 Q. How did you determine these
19 should be the subsets of your account at
20 Lloyds Bank?

21 MR. LERNER: Objection..

22 A. I don't know. I didn't make
23 that determination.

24 Q. Why are these the three --

25 A. I don't know.

1 C. REYES

2 Q. -- subsets of your account at
3 Lloyds Bank?

4 A. I don't know.

5 Q. Who made that determination?

6 A. I don't know.

7 Q. Did Dr. Reyes make that
8 determination?

9 A. I don't know. You have to ask
10 him. I don't know.

11 Q. Did you speak with --

12 MS. GLEN: Strike that.

13 Q. Did anyone at Lloyds Bank
14 assist in creating this account?

15 A. I don't know.

16 Q. Did anyone domestically, a
17 lawyer, CPA, financial adviser, assist you,
18 assist in the creation of your account at
19 Lloyds Bank?

20 A. I don't know. I really don't
21 know.

22 Q. If you had a question about
23 your finances in the Lloyds Bank account,
24 who would you talk to?

25 A. I never used to think about it.

1 C. REYES

2 Q. I'll ask you to turn to the
3 next page of Government Exhibit 8.

4 MR. LERNER: Bates number?

5 MS. GLEN: Bates Stamped IRS
6 1420.

7 Q. This page is labeled as a
8 detailed portfolio valuation; is that
9 correct?

10 A. Where is it?

11 Q. In the middle towards the top.

12 A. Okay.

13 Q. And it has the same account
14 number on the right hand side, [REDACTED] 250; is
15 that correct?

16 A. Yes.

17 Q. And this lists two subsets of
18 that account, labeled 112 and 110. Do you
19 see that?

20 A. Yes.

21 Q. What is the difference between
22 those two subsets of these accounts?

23 A. I don't know what that means.

24 Q. You don't know the difference
25 between those two subsets of the account?

1 C. REYES

2 A. No.

3 Q. The description, two columns
4 over it says description and it says
5 "joint". Do you see that?

6 A. Yes.

7 Q. Do you know what that means?

8 A. I assume it's myself and my
9 husband.

10 Q. Did you use funds from this
11 Lloyds Bank account in 2010, 2011 or 2012?

12 A. It's possible but I don't
13 remember.

14 MS. GLEN: I'm going to ask the
15 court reporter to mark the next
16 exhibit as Government Exhibit 9.

17 (Whereupon, Lloyds Bank
18 Statement was marked as Government
19 Exhibit 9 for identification as of
20 this date by the Reporter.)

21 Q. Government Exhibit 9 is Bates
22 Stamped IRS 0001544 to IRS 0001545. Mrs.
23 Reyes, I direct your attention to the top
24 left hand corner of this page. Is that
25 your name?

1 C. REYES

2 A. Yes.

3 Q. On the right hand side it also
4 has your name, correct?

5 A. I just see my name on the right
6 hand side.

7 Q. Is it also on the left hand
8 side right above a series of numbers?

9 A. Okay.

10 Q. Do you see that?

11 A. Yeah.

12 Q. And in the account number, it
13 says [REDACTED] 250; is that correct?

14 A. Yeah.

15 Q. That's your account number at
16 Lloyds Bank, correct?

17 A. I guess so.

18 Q. What is Government Exhibit 9?

19 A. What do you mean?

20 Q. What is this document?

21 MR. LERNER: What do you
22 understand it to be?

23 A. I'm not sure what this means.

24 Q. Is Government Exhibit 9 a
25 statement from --

1 C. REYES

2 A. It seems to be.

3 Q. -- from Lloyds Bank from your
4 account, [REDACTED] 250?

5 A. It seems to be.

6 Q. Going forward, when I refer to
7 the account as Lloyds Bank or "the
8 account," will you understand that I'm
9 referencing the joint account at issue in
10 this litigation that you have with Dr.
11 Reyes, with client ID number [REDACTED] 250?

12 A. Okay.

13 Q. And that would include any
14 predecessor banks related to the amount at
15 issue with this litigation unless I
16 specifically ask you about the other banks.
17 Does that make sense?

18 A. I'm not sure.

19 Q. So when I say "the account,"
20 you testified that it was moved from a bank
21 in Nicaragua to a Lloyds Bank in England
22 and then Switzerland, correct?

23 A. Okay.

24 Q. So if I refer to the account,
25 will you understand that I'm talking about

1 C. REYES

2 this account at Lloyds Bank, [REDACTED] 250, and
3 that predecessor bank. Unless I
4 specifically ask about a different bank,
5 that's what I'm talking about. Do you
6 understand?

7 A. Okay.

8 Q. That way I can shorten what I
9 say and ask questions about every exhibit.

10 A. Okay.

11 Q. Who had signature authority
12 over this account at Lloyds Bank?

13 A. I guess my husband and myself.

14 Q. What would lead you to guess
15 that?

16 A. It's been a long time. I don't
17 remember.

18 Q. But as you sit here today, you
19 say you guess that you and your husband,
20 Dr. Reyes, would have signature authority
21 over this account. What makes you believe
22 that to be true?

23 A. I'm looking at this paper.

24 Q. So because your name and Dr.
25 Reyes' name are listed on Government

1 C. REYES

2 Exhibits 8 and 9, is that what leads you to
3 believe that you had signature authority
4 over the account at Lloyds Bank?

5 A. Yes.

6 Q. Who else other than you and Dr.
7 Reyes had signature authority over the
8 Lloyds Bank account from 2010 to '12?

9 A. I guess just us.

10 Q. Did that ever change?

11 A. I don't think so.

12 Q. After the initial transfer of
13 the funds from that bank in Nicaragua to
14 the Lloyds Bank account, did you add any
15 money to this account at Lloyds Bank?

16 A. Not to my knowledge.

17 Q. Did Dr. Reyes add any money to
18 this account at Lloyds Bank?

19 A. I don't know.

20 Q. Did the account balance in the
21 account at Lloyds Bank grow?

22 A. Probably interest.

23 Q. Other than interest, would
24 there be a source of that deposit -- what
25 would the source of those deposits be?

1 C. REYES

2 MR. LERNER: Objection.

3 A. I don't think there were any.

4 Q. Aside from you or Dr. Reyes, do
5 you know if anyone else would have
6 deposited money into the Lloyds Bank
7 account?

8 A. Well, it depends. Maybe my
9 mother-in-law did. I don't know.

10 Q. I'm going to go back to the
11 question about withdrawal of funds from the
12 Lloyds Bank account. Did you personally
13 make any withdrawals from this account at
14 Lloyds Bank?

15 A. I don't remember.

16 Q. Do you recall ever using funds
17 from the account at Lloyds Bank?

18 A. I don't remember.

19 Q. So we can go back to Government
20 Exhibit 9. Directing your attention to the
21 description column on the first page, do
22 you see the entry dated February 1st?

23 A. Yes.

24 Q. What is this transaction?

25 A. I don't know.

1 C. REYES

2 Q. If says BMT CHS USA; is that
3 correct?

4 A. Yeah.

5 Q. What does that mean?

6 A. I don't know what BMT is.

7 Q. Do you know what CHS is
8 referring to?

9 A. Chase.

10 Q. This is a debit, correct?

11 A. Okay.

12 Q. Do you see under the debit
13 column, \$802.25?

14 A. Yes.

15 Q. What is this a debit for?

16 A. I don't know. I don't remember
17 that.

18 Q. Did you have a Chase account in
19 2010?

20 A. Yeah.

21 Q. This is a statement from
22 February 28, 2010, correct?

23 A. Yes.

24 Q. Did you make a debit from the
25 Lloyds Bank account to your Chase account

1 C. REYES

2 in February of 2010?

3 A. I don't know. I don't
4 remember.

5 Q. Did Dr. Reyes have a Chase
6 account in February of 2010?

7 A. Probably.

8 Q. Is that a joint account or a
9 separate account?

10 A. Joint.

11 Q. Did you ever transfer funds or
12 use this fund --

13 MS. GLEN: Strike that.

14 Q. Did you use this account to pay
15 for your balance, of any kind, at Chase
16 Bank?

17 MR. LERNER: Objection.

18 A. I don't remember.

19 MR. LERNER: I don't understand
20 the question.

21 Q. Did you transfer funds from
22 this account to cover pay expenses related
23 to your Chase account in 2010?

24 MR. LERNER: Objection.

25 A. I don't know.

1 C. REYES

2 MR. LERNER: Why would there be
3 bank account expenses?

4 Q. Moving to the next entry, dated
5 February 4th, what is this transaction?

6 A. I don't know. I don't remember
7 any of these things.

8 Q. Did you have a Capital One card
9 in February of 2010?

10 A. I don't know. I really don't
11 know.

12 Q. Do you currently have a Capital
13 One card?

14 A. No.

15 Q. Does Dr. Reyes have a Capital
16 One card?

17 A. I don't know.

18 Q. Did you use funds from this
19 account to cover or pay expenses related to
20 a Capital One account in 2010?

21 A. I don't know. I don't
22 remember.

23 Q. So we're going to move to the
24 next entry dated February 5th. It says
25 "Sale Lloyds 2.5 percent 09-11 fix." What

1 C. REYES

2 does this mean?

3 A. What is it?

4 Q. Yes.

5 A. I don't remember any of these
6 things on this list.

7 Q. It says a credit of
8 \$1.5 million; is that correct?

9 A. Okay.

10 Q. Was your account credited
11 \$1.5 million in May of 2010?

12 A. I wish.

13 Q. Did you report --

14 MS. GLEN: Strike that.

15 Q. I'm going to show you what I
16 will ask the court reporter to mark as
17 Government Exhibit 10BMT.

18 (Whereupon, 1/31/11 Lloyds Bank
19 Statement was marked as Government
20 Exhibit 10 for identification as of
21 this date by the Reporter.)

22 Q. Government Exhibit 10 is Bates
23 stamped IRS 0001566 to IRS 0001567. Mrs.
24 Reyes, does your name appear at the top
25 right of this document?

1 C. REYES

2 A. Yes.

3 Q. Does it appear at the top left
4 of this document?

5 A. Yes.

6 Q. Right below your name on the
7 left, is that the account number at Lloyds
8 Bank?

9 A. I guess so.

10 Q. Have you seen this document
11 before?

12 A. No.

13 Q. I direct your attention to the
14 column titled description on the second
15 page, Bates Stamped IRS 000 --

16 A. On the second page?

17 Q. Yes, ma'am. 1567. The date of
18 this statement is January 31, 2011,
19 correct?

20 A. Yes, January 31st.

21 Q. I direct your attention to the
22 entry dated January 14th.

23 A. Okay.

24 Q. It says Maestro Card fees. Do
25 you see that?

1 C. REYES

2 A. Yeah.

3 Q. What is a Maestro Card?

4 A. I don't know.

5 Q. I direct your attention to the
6 entries dated January 21st and 26th. These
7 say REDEM.LIL US Dollar Fund. Do you see
8 that?

9 A. Yes.

10 Q. What does that mean?

11 A. I don't know.

12 Q. A little bit further down this
13 page, it says -- the next entry actually --
14 UBS Card Center AG. Do you see that?

15 A. Okay.

16 Q. What is a UBS Card Center AG?

17 A. I don't know.

18 Q. Did you use the bank account at
19 Lloyds Bank for personal expenses in
20 January of 2011?

21 A. I don't remember.

22 MR. LERNER: Off the record.

23 (Whereupon, an off-the-record
24 discussion was held.)

25 MS. GLEN: I'm going to ask the

1 C. REYES

2 court reporter to mark a document

3 Government Exhibit 11.

4 (Whereupon, Your Cash Statement

5 - Lloyds Bank was marked as

6 Government Exhibit 11 for

7 identification as of this date by the

8 Reporter.)

9 Q. Government Exhibit 11 is Bates

10 Stamped IRS 0001579 through IRS 0001581.

11 Mrs. Reyes, on the first page it lists your
12 name, correct?

13 A. Yes.

14 Q. And then it says, right below

15 it, "your cash statement". Do you see

16 that?

17 A. Okay.

18 Q. What is Government Exhibit 11?

19 A. My cash statement.

20 Q. I direct your attention to the

21 third page of Government Exhibit 11. This

22 cash statement is dated 31st May 2011,

23 correct?

24 A. Yes.

25 Q. It says UBS Card Center AG

1 C. REYES

2 here. Do you see that?

3 A. No.

4 Q. The entry dated May 24, 2011.

5 A. May 24th?

6 Q. On the third page of Government
7 Exhibit 11, IRS Bates Stamp 1581.

8 A. Yes.

9 Q. Did you have a UBS card in
10 2011?

11 A. I may have but I don't really
12 remember. It's a long time. I forget so
13 many things these days. You know, I had my
14 big old 8-0 birthday party.

15 Q. Do you currently have a UBS
16 card?

17 A. No, I just have a Chase card.

18 Q. Why was payment debited from
19 your Lloyds account in 2011 to a UBS card
20 center?

21 A. I don't remember.

22 Q. Did you review your cash
23 statements to the Lloyds Bank account in
24 2011?

25 A. I never even saw statements.

1 C. REYES

2 Q. Why didn't you see statements
3 from the Lloyds account?

4 A. I don't know. I never really
5 was looking for any.

6 Q. Who did see statements from the
7 Lloyds account in 2011?

8 A. I don't know.

9 Q. Did you ever see any
10 statements, any kind for the Lloyds
11 account, for any year?

12 A. I don't recall.

13 Q. You don't recall seeing any
14 statements for the Lloyds account for any
15 year, or you don't recall receiving them,
16 or something else?

17 A. Either.

18 Q. Is it your testimony you've
19 never seen a statement from Lloyds Bank?

20 A. I don't remember.

21 Q. Did you ever inquire about the
22 Lloyds Bank account of anyone?

23 A. No.

24 MR. LERNER: We're still
25 speaking of a period of what time?

1 C. REYES

2 MS. GLEN: That question was
3 any time.

4 MR. LERNER: Any time ever?

5 MS. GLEN: Any time ever and
6 she said she doesn't know. I'm going
7 to ask the court reporter to mark the
8 next exhibit as Government
9 Exhibit 12.

10 (Whereupon, Your Cash Statement
11 - Lloyds Bank was marked as
12 Government Exhibit 12 for
13 identification as of this date by the
14 Reporter.)

15 Q. Government Exhibit 12 is Bates
16 Stamped IRS 0001623 to IRS 0001625. Mrs.
17 Reyes, is your name on the top right corner
18 of this page?

19 A. Yes.

20 Q. And right below it says "your
21 cash statement," correct?

22 A. It does.

23 Q. What is Government Exhibit 4?

24 A. It's a cash statement.

25 Q. Is this cash statement dated

1 C. REYES

2 29th June 2012?

3 A. Yeah.

4 Q. It lists your client number as
5 [REDACTED] 250, correct?

6 A. That's what it says.

7 Q. Directing your attention to the
8 first entry on the second page, Bates
9 Stamped IRS 1624, dated June 1, 2012. Do
10 you see that?

11 A. Yes.

12 Q. This lists EMT Wells Fargo
13 BN/USA; is that correct?

14 A. That's what it says.

15 Q. Did you have a Wells Fargo
16 account in 2012?

17 A. I don't recall.

18 Q. Did Dr. Reyes have a Wells
19 Fargo account in 2012?

20 A. I don't know.

21 Q. Was this debit, dated June 1,
22 2012, taken from the Lloyds Bank account?

23 A. I don't know.

24 Q. What bank does 91 Avaline LLC
25 use?

1 C. REYES

2 A. Chase.

3 Q. What bank did 91 Avaline LLC
4 use in 2012?

5 A. Chase. Did they exist in those
6 years?

7 Q. I think we stipulated they were
8 created in 2010.

9 A. They used Chase.

10 Q. The LLCs, they used Chase, both
11 of them?

12 A. Yeah.

13 Q. On Government Exhibits 9, 10,
14 11 and 12, top right of each of these, it
15 says quote "Keep Mail." Do you see that?

16 A. No.

17 Q. Take a second to look.

18 A. Okay.

19 Q. What does "Keep Mail" mean?

20 A. I guess save it.

21 Q. And when you say "save it,"
22 what do you mean by that?

23 A. Keep mail.

24 Q. Do you mean that the bank would
25 do some action or that you, the receiver of

1 C. REYES

2 these documents, were taking action or
3 something else?

4 A. I don't know.

5 Q. You testified that you have
6 never seen Government Exhibits 9, 10, 11
7 and 12 before, correct?

8 MR. LERNER: Objection. She
9 said she didn't recall.

10 Q. You didn't recall --

11 A. Right I don't recall.

12 Q. You didn't recall seeing
13 Government Exhibits 9, 10, 11 or 12?

14 A. (Shakes head).

15 Q. Until today, have you ever seen
16 statement from Lloyds Bank?

17 A. I don't recall. I don't
18 remember.

19 MS. GLEN: I think this might
20 be a good time for a break. It's
21 12:20. Off the record.

22 (Whereupon, an off-the-record
23 discussion was held.)

24 (Whereupon, a lunch break was
25 taken.)

1 C. REYES

2 Q. We're back on the record. We
3 just took a break. Mrs. Reyes, I know you
4 mentioned you were feeling a little dizzy.
5 Are you okay?

6 A. Yeah.

7 Q. Do you need some water or
8 anything to make you more comfortable?

9 A. No, I'm okay.

10 Q. If you need a break or
11 anything, please let me know?

12 A. Okay.

13 Q. During the break, did you have
14 any conversation with anyone about your
15 testimony?

16 A. No.

17 Q. Before we start getting into
18 more further questions, the court
19 reporter's oath is still in effect. Do you
20 understand?

21 A. Yes.

22 Q. About the time that you had the
23 LLC the Lloyds Bank account with your
24 husband, so it's dating back to 2010 to
25 2012, how did you handle the finances

1 C. REYES

2 within your home?

3 A. He worked.

4 Q. Were you or Dr. Reyes primarily
5 in charge of paying bills or did you do
6 them together?

7 A. Together.

8 Q. What did that process look
9 like?

10 A. I get the phone bill and the
11 gas bill and I write a check.

12 Q. You say you wrote a check. Did
13 you handle that process, not Dr. Reyes?

14 A. He had to sign them.

15 Q. About when you received bank
16 statements, did you review those, or did
17 Dr. Reyes, or did you do that together in
18 2010 and --

19 MR. LERNER: Objection. You're
20 assuming she reviews bank statements.

21 Q. You can answer.

22 A. I don't remember.

23 Q. When you would get something in
24 the mail related to a financial account of
25 any kind between 2010 and 2012, what would

1 C. REYES

2 you do with it?

3 A. Put it on the table.

4 Q. And then what?

5 A. I guess he would look at it or
6 we'd look at it, something like that.

7 Q. Did you have a checkbook back
8 in 2010 to 2012?

9 A. Yes.

10 Q. Who balanced the checkbook in
11 your house between 2010 and 2012, assuming
12 that you did?

13 A. I don't know. He used to look
14 at it. I'm not sure.

15 Q. When you say "he," you're
16 pointing to Dr. Reyes?

17 A. Yes.

18 Q. In 2010, 2012, that date range
19 did you have a credit card?

20 A. Chase.

21 Q. You're referring to Chase Bank?

22 A. Excuse me?

23 Q. Are you referring to Chase
24 Bank?

25 A. Yes.

1 C. REYES

2 Q. Did you have any other credit
3 card in the early 2000s, mid 2000s?

4 A. Maybe Bank of America.

5 Q. What would you use your credit
6 card for?

7 A. I guess shopping, I guess.

8 Q. How did you pay the balance of
9 your credit card in 2010 -- did you pay the
10 balance of your credit card in 2010 to
11 2012?

12 A. In increments. It was always a
13 big balance.

14 Q. But you did make the payment or
15 some of the payments, correct?

16 A. Yes.

17 Q. How did you make those
18 payments?

19 A. Chase.

20 Q. Did you use your Chase account
21 to pay for credit card payments?

22 A. Mm-hmm.

23 MR. LERNER: Answers have to be
24 verbal.

25 Q. You said "mm-hmm".

1 C. REYES

2 A. Yes.

3 Q. Would you use any other
4 accounts to pay off credit card balances?

5 A. Just Chase.

6 Q. In 2010 to 2012?

7 A. I think. I think so.

8 MS. GLEN: I'm going to ask the
9 court reporter to mark this one-page
10 document as Government Exhibit 13.

11 (Whereupon, Application for
12 Maestro Card was marked as Government
13 Exhibit 13 for identification as of
14 this date by the Reporter.)

15 THE WITNESS: That was a long
16 time ago. I don't remember.

17 Q. Mrs. Reyes, Government
18 Exhibit 13 is Bates marked Lloyds 000035.
19 Please take a moment to review this
20 document and let me know when you're
21 finished.

22 A. I don't remember any of this.

23 Q. You've reviewed the document?

24 A. I'm looking at it but I don't
25 remember.

1 C. REYES

2 Q. At the top of this page it says
3 Application for an ec/Maestro Card. Do you
4 see?

5 A. Mm-hmm.

6 Q. What do you mean by "Mm-hmm"?

7 A. That I see it.

8 Q. The account holder, it lists
9 your name, correct?

10 A. Yes.

11 Q. And Juan. Who is Juan?

12 A. My husband.

13 Q. Account number [REDACTED] 250, do you
14 see that?

15 A. Yes.

16 Q. Is that the account at Lloyds
17 Bank that's at issue in this litigation?

18 A. Okay.

19 Q. Is that a yes?

20 A. Yes.

21 Q. Who is this card application
22 for?

23 A. It says Catherine and Juan
24 Reyes.

25 Q. As the account holders; is that

1 C. REYES

2 correct?

3 A. Yeah.

4 Q. At the bottom of the page, is
5 that your signature?

6 A. Yes.

7 Q. It's Catherine spelled with a
8 K, correct?

9 A. Mm-hmm.

10 Q. But that's still you? You
11 answered mm-hmm to the previous question.

12 A. Yes.

13 Q. To the left of that, where it
14 says place/date, do you see that?

15 A. Yes.

16 Q. What does it say?

17 A. I'm not sure what that says.
18 I'm not sure.

19 Q. Is it possible that it says
20 Madrid?

21 A. Maybe.

22 Q. Were you in Madrid in 2003?

23 A. I don't remember but I've gone
24 to Madrid several times because we have
25 friends there.

1 C. REYES

2 Q. Do you have family there as
3 well?

4 A. No, but they're like family.

5 Q. How often would you say you go
6 to Madrid?

7 A. Well, I haven't gone likely.
8 My friend's husband died. We were supposed
9 to go a couple of years ago to the
10 daughter's wedding but we didn't go.

11 Q. In the early 2000s, did you
12 frequently visit Madrid?

13 A. We took some trips there.

14 Q. Were you in Madrid on
15 October 19th, 2003?

16 A. I'm not sure. I don't
17 remember.

18 Q. Do you have any reason to
19 believe that you would have said you were
20 in Madrid if you were not in Madrid?

21 A. No.

22 Q. Why is this Maestro card linked
23 to the Lloyds account?

24 A. I don't know. I really don't
25 know.

1 C. REYES

2 Q. Did you ultimately receive this
3 card?

4 A. That was a long time ago. I
5 don't remember.

6 Q. Did you ever use a Maestro
7 card?

8 A. I don't recall.

9 Q. In the middle of this page,
10 Government Exhibit 3, it says issuing of
11 the ec/Maestro card. Do you see that?

12 A. Yeah.

13 Q. How did you request to receive
14 the Maestro card?

15 A. I don't recall.

16 Q. Which box did you check?

17 A. It says to be picked up at bank
18 counter. I don't remember this.

19 Q. Do you recall why you selected
20 that option instead of send per post?

21 A. No.

22 Q. Just for clarification, sent
23 for post, what do you understand that to
24 mean?

25 A. To mail it.

1 C. REYES

2 Q. Why did you decide not to have
3 the credit card mailed to your address in
4 the United States?

5 A. I don't remember any of this.

6 Q. At the top where it says
7 account holder -- I know we just went over
8 this -- but who do you understand this to
9 be an application for?

10 A. Say that again.

11 Q. Who do you understand this
12 application to be for?

13 A. It looks like a credit card.

14 Q. Right but to whom, in whose
15 name?

16 A. Either mine or Dr. Reyes's.

17 Q. And this document, Government
18 Exhibit 13, is only signed by you, correct?

19 A. Yes.

20 Q. Do you recall why Dr. Reyes
21 didn't sign this document?

22 A. No. I don't even recall
23 signing it. This is 20 years ago. I'm
24 lucky I remember what happened yesterday.

25 Q. Is that your handwriting at the

1 C. REYES

2 bottom of Government Exhibit 13?

3 A. It seems as though it is.

4 MS. GLEN: I'm now going to ask
5 the court reporter to mark as next
6 exhibit as Government Exhibit 14.

7 (Whereupon, UBS Billing
8 Statement was marked as Government
9 Exhibit 14 for identification as of
10 this date by the Reporter.)

11 Q. Before we discuss Government
12 Exhibit 14, did you ever travel to Madrid
13 without Dr. Reyes?

14 A. Never.

15 Q. You always traveled together?

16 A. Yes.

17 Q. Did you ever go with any of
18 your children?

19 A. To Madrid?

20 Q. Yes.

21 A. No.

22 Q. Did you have ever visit a
23 Lloyds Bank in Madrid?

24 A. I don't recall.

25 Q. Did you ever visit a UBS Bank

1 C. REYES

2 in Madrid?

3 A. I don't recall.

4 Q. When you made your visits to
5 Madrid, did you do things on your own or
6 did you always go places with Dr. Reyes?

7 A. With Dr. Reyes.

8 Q. Returning to Government
9 Exhibit 14, this has been Bates marked
10 Lloyd 00251 through Lloyds 002455. Whose
11 credit card is this a statement for?

12 A. My name is on it.

13 Q. Where do you see your name?

14 A. At the top.

15 Q. It's spelled with a K, correct?

16 A. Yes.

17 Q. That's your name?

18 A. Yeah.

19 Q. Below your name, it says a
20 series of numbers, correct?

21 A. Yes.

22 Q. Within that series of numbers
23 is [REDACTED] 250, correct?

24 A. Yes.

25 Q. Is that the account at Lloyds

1 C. REYES

2 Bank that's at issue in this litigation?

3 A. I don't know.

4 Q. I direct your attention back to
5 Government Exhibit 13. What is the account
6 number listed on Government Exhibit 13?

7 A. It's the same.

8 Q. When you say the same, you're
9 referring to the number that appears under
10 your name on Government Exhibit 14?

11 A. Yeah.

12 Q. Why is this statement addressed
13 to Lloyds and not you as an individual?

14 A. I don't know.

15 Q. Did you request that this
16 statement go to Lloyds instead of you as an
17 individual?

18 A. I don't remember.

19 Q. Was this credit card, UBS
20 credit card, paid by the Lloyds account?

21 A. I don't remember.

22 Q. I direct your attention to
23 Government Exhibit 11. The final page,
24 Bates marked IRS 0001581, the second entry
25 dated May 24, 2011, that says UBS card

1 C. REYES

2 Center AG. Is this payment to pay the
3 credit card, that is a statement for which
4 is labeled Government Exhibit 14?

5 A. Which one is that? I don't
6 even see it.

7 MR. LERNER: I believe Ms. Glen
8 is asking you to look at that number
9 and cross reference with this.

10 MS. GLEN: Just if it's the
11 same credit card.

12 MR. LERNER: Just not the same
13 amount?

14 MS. GLEN: Just the credit
15 card.

16 MR. LERNER: Can you answer
17 that question?

18 THE WITNESS: No.

19 Q. Is that answer "no" to my
20 question or to Mr. Lerner's?

21 A. To both. I don't remember any
22 of this.

23 Q. Did you have another credit
24 card other than the one for which
25 Government Exhibit 14 is a statement with

1 C. REYES

2 UBS in 2011?

3 A. I don't remember.

4 Q. Did Dr. Reyes?

5 A. I don't know.

6 Q. What was the credit card for
7 which the statement in Government
8 Exhibit 14 used for?

9 MR. LERNER: Is the UBS credit
10 card that you're thinking of, is it
11 the same as the Maestro card, are
12 they one or the same?

13 MS. GLEN: If Mrs. Reyes can
14 answer that question, she may.

15 MS. LERNER: Let's read back
16 the question, the original question
17 that Ms. Glen asked.

18 (Whereupon, the referred to
19 question was read back by the
20 Reporter.)

21 A. I don't remember a credit card.

22 Q. If you can take a moment to
23 review the entries for Government
24 Exhibit 14 under the text column. Do these
25 appear to be personal expenses?

1 C. REYES

2 A. They seem to be.

3 Q. Were you in Paris in 2007?

4 A. I may have been but I don't
5 remember.

6 Q. Have you been to Paris before?

7 A. Yeah.

8 Q. How many times have you been to
9 Paris?

10 A. I was there before the COVID
11 with my son.

12 Q. You've been there before that
13 time?

14 A. Yeah, I have.

15 Q. Do you recall when?

16 A. No.

17 Q. Have you ever authorized
18 someone to apply for a credit card on your
19 behalf?

20 A. No, not that I recall.

21 Q. Has Dr. Reyes ever applied for
22 a credit card in your name?

23 A. I don't know.

24 MS. GLEN: I'm going to ask the
25 court reporter to mark this next

1 C. REYES

2 document as Government Exhibit 15.

3 (Whereupon, UBS Credit Card
4 Statement was marked as Government
5 Exhibit 15 for identification as of
6 this date by the Reporter.)

7 Q. Government Exhibit 15 is Bates
8 Stamped Lloyds 002472 through Lloyds
9 002473. Mrs. Reyes, do you see where it
10 says UBS credit card account, has a number,
11 and then lists a name?

12 A. Yes.

13 Q. Is that your name?

14 A. Yes.

15 Q. Even though it's Katherine
16 spelled with a K?

17 A. Yes.

18 Q. This is a document related to a
19 credit card account, correct?

20 A. It seems to be.

21 Q. Whose credit card is this
22 document?

23 A. My name is on it.

24 Q. This letter states quote
25 "information for your tax return." Do you

1 C. REYES

2 see that?

3 A. Yes.

4 Q. What does that mean?

5 A. I never saw this letter before.

6 Q. What do you understand --

7 A. That it should be reported on a
8 tax return but I never saw this letter
9 before.

10 Q. Up on the top --

11 MS. GLEN: Strike that.

12 Q. If you can please take a look
13 at Government Exhibit 14 next to Government
14 Exhibit 15. In Government Exhibit 14, on
15 the right, it says account number and lists
16 a series of numbers. Do you see that?

17 A. Yes.

18 Q. On Government Exhibit 15, it
19 says UBS Credit Card Account and lists a
20 series of numbers, correct?

21 A. Yes.

22 Q. Are those numbers the same?

23 A. They are.

24 Q. So Government Exhibit 15 is a
25 letter for the credit card account of

1 C. REYES

2 Government Exhibit 14, correct?

3 A. I never saw these before.

4 Q. I understand, but is Government
5 Exhibit 15 a letter associated with
6 Government Exhibit 14?

7 A. Right.

8 Q. Who received documents related
9 to credit cards issued in your name in
10 2007?

11 A. I never got them. I never got
12 any of this.

13 Q. Did you authorize someone to
14 receive documents for you related to
15 foreign credit cards?

16 A. No, not to my knowledge. I
17 don't remember.

18 MS. GLEN: Off the record.

19 (Whereupon, an off-the-record
20 discussion was held.)

21 Q. So the credit card that is
22 listed, or of which Government Exhibits 14
23 and 15 are about, was this credit card
24 linked to the Lloyds Bank account that's at
25 issue in this litigation?

1 C. REYES

2 A. I don't know.

3 Q. Who opened the credit card with
4 the account number ending in 7578 that is
5 listed in Government Exhibits 14 and 15?

6 A. I don't remember.

7 Q. Is anyone else an authorized
8 user of the credit card that's listed in
9 Government Exhibits 14 and 15?

10 A. I don't know.

11 Q. When was the credit card opened
12 that is listed in Government Exhibits 14
13 and 15?

14 A. I don't know.

15 Q. Where was the credit card
16 opened that is at issue in Government
17 Exhibits 14 and 15?

18 A. I don't know.

19 Q. So I know you said you haven't
20 seen Government Exhibits 14 and 15 before;
21 is that correct?

22 A. Yes.

23 Q. Did you ever receive any
24 documents associated with the UBS credit
25 card ending in 7585?

1 C. REYES

2 A. Not that I recall.

3 Q. Did you ever receive any
4 documents associated with any credit card
5 from UBS?

6 A. I don't remember.

7 Q. Did anyone other than Dr. Reyes
8 know that you had a bank account with
9 Lloyds Bank?

10 A. I don't think so.

11 MR. LERNER: Objection. We
12 need to narrow the time period down
13 because she testified earlier that
14 her mother-in-law was aware so --

15 MS. GLEN: I can re-ask the
16 question.

17 Q. Did anyone, other than Dr.
18 Reyes, know that you had a bank account
19 with Lloyds Bank in 2010, 2011 and 2012?

20 A. I guess my mother-in-law.

21 Q. Was she alive in 2010, 2011 --

22 A. I don't remember when she
23 passed.

24 Q. Did anyone else know that this
25 account existed in 2010, 2011, and 2012?

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1 C. REYES

2 A. I don't know.

3 Q. Did you have any conversations
4 about the Lloyds Bank account with anyone
5 in 2010, 2011 and 2012?

6 A. Not that I recall but it's
7 possible. I don't know though.

8 Q. Other than your CPA, have you
9 ever provided anyone copies of documents
10 related to your Lloyds Bank account that
11 existed in 2010, 2011 and 2012?

12 A. Not to my knowledge but I don't
13 keep things locked in my house either.

14 Q. What do you mean by that?

15 A. I don't have files locked.

16 Q. Okay. Are you saying that in
17 the sense that anyone who came into your
18 home could access these documents?

19 A. I don't think so but you never
20 know what goes on.

21 Q. Did you ever discuss the Lloyds
22 Bank account that existed in 2010, 2011 or
23 2012 with your son Juan Reyes III?

24 A. I didn't.

25 Q. Did you ever discuss that

1 C. REYES

2 account that existed in 2010, 2011 and 2012
3 with any of your other children?

4 A. I don't think so.

5 Q. Did you ever talk about the
6 Lloyds Bank account with your parents?

7 A. No.

8 Q. Do you ever talk to Dr. Reyes'
9 parents about the Lloyds Bank account
10 related to the years 2010, 2011 or 2012?

11 A. I don't remember.

12 Q. After the transfer of the funds
13 from the Nicaraguan bank, did you talk to
14 Dr. Reyes' parents about the Lloyds Bank
15 account?

16 A. My mother-in-law did whatever
17 she did and I'm not sure what she did but
18 she just sort of briefly told me but that's
19 all.

20 Q. And do you recall what those
21 conversations were about?

22 A. No, it was too long ago.

23 Q. When you would have those
24 discussions with her, was anyone else
25 present?

1 C. REYES

2 A. I don't remember. That was
3 like 50, over 50 years ago.

4 Q. Did you ever communicate with
5 Lloyds Bank directly?

6 A. I don't think so.

7 Q. Did you receive phone calls
8 from representatives at Lloyds Bank?

9 A. I never did.

10 Q. Did Dr. Reyes?

11 A. I don't know.

12 Q. Did you receive letters or
13 e-mails from a representative at Lloyds
14 Bank?

15 A. Not that I remember.

16 Q. If you were to receive a letter
17 or an e-mail from a bank, would you save
18 that?

19 A. It depends on what it was.

20 Q. How would you decide?

21 A. Whether it looked important
22 enough.

23 Q. And when you say looked
24 important, how would you make that
25 determination?

1 C. REYES

2 A. I got an e-mail from Chase; my
3 account is overdrawn by \$23, so find out
4 what account.

5 Q. So would you categorize a
6 document important if it requires immediate
7 action?

8 A. Probably.

9 Q. What if it included an account
10 balance like a monthly statement, would
11 that be deemed important to keep?

12 A. I never recall receiving those.

13 Q. From Lloyds Bank?

14 A. (Nodding).

15 Q. You're nodding. So from Lloyds
16 Bank, is that what you're saying, you don't
17 recall receiving anything from Lloyds Bank?

18 A. Right, yes.

19 Q. Did you have a contact person
20 at Lloyds Bank related to the account in
21 2010, 2011 and 2012?

22 A. Not that I recall.

23 Q. Do you know who Bernard
24 Gaughran is, G-A-U-G-H-R-A-N?

25 A. No.

1 C. REYES

2 Q. Did you authorize Lloyds Bank
3 to make disclosures regarding United States
4 withholding taxes to the United States?

5 A. I don't recall doing that. I
6 don't recall.

7 MS. GLEN: I'm going to ask the
8 court reporter to mark this next
9 document as Government Exhibit 16.

10 (Whereupon, Declaration for US
11 Persons was marked as Government
12 Exhibit 16 for identification as of
13 this date by the Reporter.)

14 Q. Government Exhibit 16 is Bates
15 stamped Lloyds 000038 to Lloyds 000039.
16 Mrs. Reyes, is that your signature at the
17 bottom of the first page of Government
18 Exhibit 16?

19 A. Yes but I don't even know what
20 this is.

21 Q. If you turn the page to the
22 next, which is Bates Stamped Lloyds 000039,
23 whose signature is that?

24 A. At the bottom?

25 Q. Yes.

1 C. REYES

2 A. The second thing, that's my
3 husband, Dr. Reyes.

4 Q. Back to the first page of
5 Government Exhibit 16, this is dated, your
6 signature is dated, August 28, 2000,
7 correct?

8 A. Yes.

9 Q. And you signed this document
10 under option 2; is that correct?

11 A. Yes.

12 Q. Option 2 states quote "I do not
13 authorize you to make any disclosure in
14 connection with US withholding tax. I
15 therefore authorize you to sell all my US
16 securities with you during the course of
17 the year 2000 and I am aware that you will
18 not invest in further US securities on my
19 account." Did I read that correctly?

20 A. Yeah, but I don't remember
21 doing this or signing this.

22 Q. Do you know why you didn't sign
23 under option 1?

24 A. I don't remember. I don't
25 remember.

1 C. REYES

2 Q. Were you concerned about
3 disclosures for tax purposes?

4 A. I don't remember.

5 Q. Did you consult with anyone
6 prior to signing Government Exhibit 16?

7 A. I don't even remember this
8 letter.

9 Q. When you would receive or talk
10 with anyone at or from Lloyds Bank, did you
11 consult with anyone prior to responding?

12 A. I don't even remember that.

13 Q. Did you receive mail associated
14 with this account when it was still in
15 Nicaragua?

16 A. No, I don't recall.

17 Q. Did you receive mail associated
18 with this account when it was at Lloyds
19 Bank in London?

20 A. I don't think so.

21 Q. Did you receive mail associated
22 with this account when it was at Lloyds
23 Bank in Switzerland?

24 A. I don't remember.

25 Q. Did you ever receive mail from

1 C. REYES

2 Lloyds Bank to an address that wasn't your
3 home address?

4 A. I don't recall.

5 MS. GLEN: I'm going to ask the
6 court reporter to mark this one-page
7 document as Government Exhibit 17.

8 (Whereupon, Copy of 9/6/02
9 Eurocard Letter was marked as
10 Government Exhibit 17 for
11 identification as of this date by the
12 Reporter.)

13 Q. Government Exhibit 17 is Bates
14 marked Lloyds 000015. Do you recognize
15 this document?

16 A. No.

17 Q. Do you recognize the
18 handwriting on this document?

19 A. It looks like mine.

20 Q. What is a Eurocard?

21 A. Some sort of a card I guess.

22 Q. Is the Eurocard referenced in
23 Document 17 the UBS card that we previously
24 discussed in Government Exhibits 14 and 15?

25 A. I don't remember this. This is

1 C. REYES

2 20 years ago. I really don't remember.

3 Q. Why did you request Eurocard
4 statements in 2002?

5 A. I don't know.

6 Q. Why would Lloyds Bank have
7 information about your Eurocard statements
8 in 2002?

9 A. I don't know.

10 Q. Did you ever receive Eurocard
11 statements?

12 A. Not that I remember.

13 Q. Directing your attention to the
14 very bottom of Government Exhibit 17. Who
15 is Fermin Martinez?

16 A. I can't be sure who that is.

17 Q. Fermin Martinez is not the name
18 of your friend who lived in Madrid; is that
19 correct?

20 A. My friend's name is Mellie
21 (phonetic).

22 Q. What is their last name?

23 THE WITNESS: Do you remember
24 Mellie's last name?

25 MR. REYES: Martinez.

1 C. REYES

2 THE WITNESS: It's Martinez?

3 I'm forgetting everything. It's
4 really bad.

5 Q. Mrs. Reyes, you just asked a
6 question to your husband, Dr. Reyes; is
7 that correct?

8 A. Yes.

9 Q. Do you recall who Fermin
10 Martinez is? Are they related to or
11 associated with your friend in Madrid?

12 A. It could be her husband.

13 Q. You don't recall?

14 A. I think it might be.

15 Q. This is your friend's husband
16 who has since passed; is that correct?

17 A. Yes.

18 Q. Why did you request that Lloyds
19 Bank sent your Eurocard statements to
20 Mr. Martinez?

21 A. I don't recall.

22 Q. Were you in Madrid in September
23 of 2002?

24 A. I may have been but I don't
25 recall.

1 C. REYES

2 Q. At the top of Government
3 Exhibit 17, it says attention to Dominic
4 Wicht, W-I-C-H-T. Who is that?

5 A. I don't know. I don't remember
6 that.

7 Q. Why did you address this
8 document to Mr. Or Ms. Wicht?

9 A. I don't know.

10 Q. To the right of that it says
11 attention Mr. Schwid, S-C-H-W-I-D. Do you
12 see that?

13 A. I didn't write that.

14 Q. Okay.

15 A. You see it's a different
16 handwriting.

17 Q. The last thing on this exhibit,
18 the top left, it appears it may have been
19 highlighted, it didn't copy great, but do
20 you see the number [REDACTED] 250 right above the
21 word "reasonable"?

22 A. Vaguely.

23 Q. Is that the number of the
24 account at Lloyds Bank?

25 A. I don't know.

1 C. REYES

2 Q. I direct your attention back to
3 Government Exhibit 16. Is the account
4 number on Government Exhibit 16 the same as
5 the number at the top left corner
6 Government Exhibit 17?

7 A. It is.

8 Q. Is that the account number at
9 issue in this litigation?

10 A. It seems to be.

11 Q. Did you ever request that
12 Lloyds Bank keep or hold your mail
13 associated with the Lloyds Bank account?

14 A. I don't remember.

15 Q. I know we briefly talked about
16 it before the break and I apologize if I
17 already asked it, but what do you
18 understand "keep" or "hold mail" to mean?

19 A. Yes.

20 Q. What do you understand that to
21 mean?

22 A. To hold.

23 Q. To have the bank hold it?

24 A. Whomever.

25 Q. And not send it to you,

1 C. REYES

2 correct?

3 A. I don't know.

4 Q. Why did you request that Lloyds
5 Bank keep or hold your mail regarding the
6 account at issue in this litigation?

7 MR. LERNER: Objection.

8 A. I don't remember doing that.

9 MS. GLEN: I'm going to ask the
10 court reporter to mark the next
11 exhibit as Government Exhibit 18.

12 (Whereupon, Lloyds Bank "Keep
13 Mail" Instructions was marked as
14 Government Exhibit 18 for
15 identification as of this date by the
16 Reporter.)

17 Q. Government Exhibit 18 is Bates
18 Stamped Lloyds 000014. Mrs. Reyes,
19 directing your attention to the bottom of
20 Government Exhibit 18. Is that your
21 signature that appears three times?

22 A. Two times. I didn't sign on
23 the left.

24 Q. Do you know who signed your
25 signature on the left?

1 C. REYES

2 A. I have no idea.

3 Q. I direct your attention now to
4 the furthest right column that says "keep
5 mail instructions." Do you see that?

6 A. Yes.

7 Q. Is this a request from you to
8 have Lloyds Bank keep your mail?

9 A. I don't remember this.

10 Q. On the bottom left, do you see
11 a stamp?

12 A. With an A?

13 Q. Yes.

14 A. Yes.

15 Q. What is that stamp? Were you a
16 notary at the time this was signed?

17 A. No.

18 Q. Do you know what this stamp is?

19 A. No.

20 Q. Although you don't recall this
21 document, does this appear to be a keep
22 mail form for Lloyds Bank that was signed
23 by you and Dr. Reyes?

24 A. It would seem so.

25 Q. Why did you agree to have

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C. REYES

Lloyds Bank hold your mail associated with this account?

A. I don't remember that.

Q. Were you concerned about getting mail from this account to your United States address?

A. I don't remember this.

Q. Who had access to your mail in the United States in 2007 to 2013?

A. It's put in a mailbox which is not locked so I don't know.

Q. Were you concerned about how people would handle the mail from Lloyds Bank in that timeframe?

A. I don't remember.

Q. Do you remember when Government Exhibit 18 was signed?

A. Is this 18?

Q. Yes.

A. No.

Q. Do you know how far back it was that you requested Lloyds Bank hold your mail?

A. I don't remember any of that.

1 C. REYES

2 Q. Did you pay fees associated
3 with the hold mail service?

4 A. I don't remember the hold mail.
5 I don't remember fees.

6 Q. I direct your attention to
7 Government Exhibit 12. The second page,
8 Bates Stamped IRS 0001624, there's an entry
9 dated June 15, 2012.

10 MR. LERNER: You said Bates
11 Stamped IRS --

12 MS. GLEN: 1624.

13 Q. The entries dated June 15,
14 2012, what is that debit for?

15 A. Where it says "keep mail"?

16 Q. Is that a debit for keep mail
17 fees?

18 A. That's what it says.

19 Q. Did you ever challenge this fee
20 on your Lloyds Bank account statement?

21 A. I never even saw it.

22 Q. What percentage of your assets
23 joint with Dr. Reyes were included in the
24 Lloyds account from 2010 through 2012?

25 A. I don't know.

1 C. REYES

2 Q. How about before 2010?

3 A. I don't know.

4 Q. Or after 2012?

5 A. I don't know.

6 Q. Did you ultimately request that
7 the funds at the Lloyds Bank account be
8 transferred to J.P. Morgan Chase in the
9 United States?

10 A. I'm not sure how that was done,
11 or how it was requested.

12 Q. Were the funds transferred to
13 J.P. Morgan Chase in the United States from
14 the Lloyds Bank?

15 A. I think they may have been,
16 yes.

17 Q. You said you didn't know how
18 that was done.

19 A. No.

20 Q. Do you know who was involved in
21 that process?

22 A. No. I don't remember.

23 Q. Did you have any discussions
24 with anyone about the transfer of funds
25 from the Lloyds Bank to J.P. Morgan Chase?

1 C. REYES

2 A. I don't remember that, how it
3 was done.

4 Q. How do you know that it was
5 done?

6 A. Because you're showing me all
7 these papers.

8 Q. I don't believe I've shown you
9 one yet about the transfer to Chase. Did
10 you talk to anyone about that transfer
11 prior to today?

12 A. Not that I recall.

13 MS. GLEN: I'm going to ask the
14 court reporter to mark the next
15 document as Government Exhibit 19.

16 (Whereupon, 1/31/12 Letter to
17 Mr. Patrick Weber was marked as
18 Government Exhibit 19 for
19 identification as of this date by the
20 Reporter.)

21 MS. GLEN: It's a one-page
22 document Bates stamped REY 000049.

23 Q. I direct your attention to the
24 bottom of this page of Government
25 Exhibit 19. Mrs. Reyes, is that your

1 C. REYES

2 signature?

3 A. And my husband's.

4 Q. Yes, that's your signature?

5 A. That's my signature.

6 Q. Have you seen this letter
7 before?

8 A. I don't remember it.

9 Q. Sorry, I didn't hear you.

10 A. I don't remember it.

11 Q. Did you write this letter?

12 A. No.

13 Q. I'll ask you to read the main
14 paragraph in the body of the letter.

15 MR. LERNER: Out loud or to
16 herself?

17 Q. To yourself please. The
18 sentence that says "we hereby revoke," what
19 did you mean by that sentence?

20 A. I don't know what that means.

21 Q. Were you originally planning on
22 wiring the balance of the Lloyds Bank
23 account to UBS AG in Zurich?

24 A. I don't recall.

25 Q. Why did you ultimately decide

1 C. REYES

2 not to wire the balance of the account to
3 UBS AG in Zurich?

4 A. I don't recall. All I remember
5 is -- I don't remember.

6 Q. What do you remember you were
7 going to say?

8 A. I don't remember.

9 Q. What do you remember about this
10 transfer in or around 2012?

11 A. We didn't do it. Our lawyer
12 did it.

13 Q. Who was your lawyer at the
14 time?

15 A. Douglas Allen.

16 Q. Did you speak with Mr. Allen
17 about this transfer?

18 A. No.

19 Q. Did your husband, Dr. Reyes?

20 A. I think so.

21 Q. Do you know anyone else who was
22 involved in those conversations with Mr.
23 Allen?

24 A. No.

25 MR. LERNER: Let's go off the

1 C. REYES

2 record.

3 (Whereupon, an off-the-record
4 discussion was held.)

5 Q. The second main paragraph says
6 quote "we intend to regularize our account
7 and resolve any and all reporting issues."
8 Do you see that?

9 A. No.

10 Q. The second sentence of the
11 second paragraph.

12 A. Okay.

13 Q. What does that sentence mean?

14 A. Report it to the IRS.

15 Q. So as of January 31, 2012, you
16 intended to report your Lloyds Bank
17 accounts to the IRS?

18 A. I don't remember, but I guess
19 so.

20 Q. Do you know when this transfer
21 occurred? When I say "this transfer", I
22 mean from the Lloyds Bank account to Chase
23 Bank.

24 A. I don't know. I don't know
25 exactly when it was, no.

1 C. REYES

2 Q. What is the current status of
3 the Lloyds Bank account?

4 A. The current status? It's all
5 loaned out to pay for that renovation for
6 424.

7 Q. So is the Lloyds Bank account
8 closed or is it still open?

9 A. It's closed.

10 Q. Did it close after this
11 transfer discussed in Government
12 Exhibit 19?

13 A. Yes.

14 Q. Why did you close the Lloyds
15 Bank account?

16 A. Because we decided to transfer
17 the money here.

18 Q. What was the balance of the
19 Lloyds Bank account when you closed it?

20 A. I'm not sure. About maybe
21 2 million.

22 Q. Was that at the time of the
23 transfer or when you ultimately closed it?

24 A. Ultimately.

25 Q. What happened with the money

1 C. REYES

2 that was in the Lloyds Bank account at the
3 time of the transfer?

4 A. What happened to it?

5 Q. Yes.

6 A. It was all transferred here.

7 Q. And then is that the money you
8 said is currently tied up in the
9 renovation?

10 A. Yes.

11 Q. Is there any portion of that
12 money that is not tied up in the renovation
13 of 424 Avaline?

14 A. Not really. It's all been
15 invested.

16 Q. When you say invested --

17 A. In the renovation.

18 Q. When the transfer occurred, was
19 all of the money transferred to J.P. Morgan
20 Chase or was it sent to different places?

21 A. What do you mean different
22 places?

23 Q. Did it go to anywhere else
24 other than Chase?

25 A. No, just Chase.

1 C. REYES

2 Q. Did you ever fax information to
3 Lloyds Bank?

4 A. No, not that I recall.

5 Q. Before you decided to move the
6 account balance from Lloyds to J.P. Morgan
7 Chase, did you ever consider selling or
8 moving the account, or portions of the
9 account, domestically or to other financial
10 institutions other than Chase?

11 A. No.

12 Q. Did you ever speak with any of
13 your tax advisors about potentially moving
14 portions of the Lloyds Bank account
15 domestically or to another foreign account?

16 A. Not that I recall.

17 Q. Did you speak with anyone at
18 Lloyds Bank about moving the account, or
19 portions of the account, domestically or to
20 another foreign account?

21 A. I don't remember.

22 MR. LERNER: Off the record.

23 (Whereupon, an off-the-record
24 discussion was held.)

25 Q. In the last two questions I

1 C. REYES

2 asked about moving money domestically.

3 A. Yes.

4 Q. I was referring to moving it
5 somewhere within the US other than Chase
6 Bank, not within Switzerland where it
7 currently was. Was that your understanding
8 when you answered those two questions?

9 A. It all went to Chase.

10 Q. Was that your understanding of
11 how I was asking the last two questions?

12 A. I think so.

13 MS. GLEN: I'm going to ask the
14 court reporter to mark this next
15 document as Government Exhibit 20.

16 (Whereupon, Lloyds Background
17 Document was marked as Government
18 Exhibit 20 for identification as of
19 this date by the Reporter.)

20 Q. Mrs. Reyes --

21 A. I don't know what this means.

22 Q. Government Exhibit 20 is Bates
23 Stamped Lloyds 000033 and Lloyds 000034.
24 Please take a second to review this
25 document.

1 C. REYES

2 A. I don't know what this means.

3 Q. On the first page of Government
4 Exhibit 20, does your name appear with Dr.
5 Reyes's?

6 A. No.

7 Q. On the top left corner.

8 A. Yes.

9 Q. And then the account number
10 listed, is that the account number at
11 Lloyds Bank that's at issue in this
12 litigation?

13 A. Yeah it seems to be.

14 Q. Please review the paragraph at
15 the bottom of this first page. Starting at
16 the third sentence that starts "their son
17 is working for a New York brokerage house
18 and he has given them input on the final
19 structure." What does this sentence mean?

20 A. I don't know. I don't remember
21 this.

22 Q. Did your son work for a New
23 York brokerage house in 1994?

24 A. I had a son who now died and he
25 died in a car accident and I don't know

1 C. REYES

2 what he was doing.

3 Q. Did he work in finance?

4 A. For a short time he may have,
5 yes.

6 Q. Is this sentence referring to
7 Juan Reyes III?

8 A. No, he's a lawyer.

9 Q. So this sentence is referring
10 to your son who has since passed?

11 A. If this is what it is.

12 Q. Did your son, who has passed,
13 provide you with any financial advice?

14 A. I don't remember. I didn't
15 listen to -- you know, when you have
16 kids --

17 Q. And then I direct your
18 attention to the second page. This is not
19 your handwriting, correct?

20 A. No, it's not.

21 Q. I read this note to say
22 "clients contacted by phone and fax to
23 advise the necessity to sell the US stocks
24 in view of reporting regulation to IRS."

25 A. I totally don't remember this.

1 C. REYES

2 Q. Did I read that correctly? Is
3 that also how you read this note? I'm not
4 asking about the accuracy of the statement
5 right now. Did I read it correctly?

6 MR. LERNER: Almost perfectly.
7 You left out the A in USA and we'll
8 stipulate you read it correctly.

9 MS. GLEN: Let's go off the
10 record for a second.

11 (Whereupon, an off-the-record
12 discussion was held.)

13 Q. Going back on the record after
14 our unexpected break due to technical
15 failure but we're still looking at
16 Government Exhibit 20. Mrs. Reyes, during
17 our break, did you talk to anyone about the
18 testimony you're giving?

19 A. No.

20 Q. Are you still feeling okay? I
21 know you mentioned you were a little dizzy
22 earlier.

23 A. (Motioning).

24 Q. You're so so?

25 A. Yeah.

1 C. REYES

2 Q. Please let me know if you need
3 to take a break.

4 A. Okay. I'll just pass out.

5 Q. Please don't. I direct your
6 attention back to Government Exhibit 20,
7 the second page. I read portion of this
8 page. "Client contacted by phone and fax
9 to advise the necessity to sell the USA
10 stocks in view of reporting regulations to
11 IRS." Did I read that correctly?

12 A. That's what it says.

13 Q. What does this sentence mean?

14 A. I don't know what it means and
15 I don't remember it. I truly don't.

16 Q. Where it says "clients," was
17 that you who contacted Lloyds Bank?

18 A. I don't remember. That was a
19 long time ago, '95.

20 Q. Did you have any contact with
21 Lloyds Bank in 1995?

22 A. Not that I remember.

23 Q. What were the concerns about
24 tax reporting requirements associated with
25 the Lloyds Bank account in 1995?

1 C. REYES

2 A. I don't know.

3 Q. Did Dr. Reyes have any concerns
4 about the tax reporting requirements in
5 1995?

6 A. I really don't know.

7 Q. Did you decide the United
8 States stocks needed to be sold or did
9 someone else?

10 A. I don't know. I don't
11 remember.

12 Q. What ultimately happened? Were
13 the United States stocks sold in or around
14 1995?

15 A. I don't know. I don't
16 remember. I don't know.

17 Q. Earlier we talked about the
18 percentage of assets that the Lloyds Bank
19 account made up for you and Dr. Reyes. Do
20 you remember when we talked about that?

21 A. I think.

22 Q. Was the Lloyds Bank account a
23 big part of your wealth between 2010 and
24 2012?

25 MR. LERNER: Objection. Lack

1 C. REYES

2 of foundation. You haven't
3 established that she was even aware
4 of the total amount in the Lloyds
5 account at the time.

6 THE WITNESS: I agree with
7 Richard.

8 Q. Were you aware that you had the
9 Lloyds Bank account in 2010, 2011, and
10 2012?

11 A. I knew something existed.

12 Q. You didn't know it as the
13 Lloyds Bank account; is that fair?

14 A. Yeah.

15 Q. If you can pull up Government
16 Exhibit 8, page 2, Bates Stamped IRS 1419.
17 It shows the total assets for the Lloyds
18 Bank account as of March 31, 2012. Do you
19 see that number?

20 A. Yes.

21 Q. Just over \$2 million, correct?

22 A. Right.

23 Q. In 2012, was that a large
24 portion of your wealth?

25 A. Would I -- yeah.

1 C. REYES

2 MR. LERNER: Are you asking in
3 hindsight or at the time?

4 MS. GLEN: Right now.

5 A. I think, looking at those
6 numbers, I would say 90 percent.

7 Q. So in 2012, just over
8 \$2 million was 90 percent of your total
9 assets?

10 A. I would think so looking at the
11 the numbers.

12 Q. Based on Government Exhibit 8,
13 that's your position?

14 A. Which was 8?

15 Q. The number you just looked at.

16 A. Okay.

17 Q. Other than the Lloyds Bank
18 account, have you ever had a foreign
19 financial account?

20 A. Not to my knowledge.

21 Q. Did you ever have an account,
22 other than the credit card account at UBS
23 in Switzerland?

24 A. Chase.

25 Q. And other than the domestic

1 C. REYES

2 Chase account, did you have a bank account
3 in Switzerland at UBS?

4 A. Did I have a bank account in
5 UBS? Not to my knowledge.

6 MS. GLEN: I'm going to ask the
7 court reporter to mark our next
8 document as Government Exhibit 21.

9 (Whereupon, KYC Information
10 Document was marked as Government
11 Exhibit 21 for identification as of
12 this date by the Reporter.)

13 Q. Government Exhibit 21 is Bates
14 Stamped Lloyds 000042 through Lloyds
15 000044. I direct your attention to the
16 middle of this page on the left column. It
17 states "client has been long standing
18 client of bank since 1994. Client banked
19 with UBS but were not satisfied with their
20 service and decided to open an account with
21 Lloyds." Did I read that correctly?

22 A. But that's not true.

23 Q. Did I read it correctly?

24 A. Yeah and residency, Guatemala,
25 that's not true. I don't know where all

1 C. REYES

2 this is coming from.

3 Q. When you say that statement
4 that I read is not true, what portion do
5 you contend is not true?

6 A. I don't know what this means.

7 Q. I just ask you to focus on that
8 one portion I read.

9 A. "Client has long been standing
10 client of bank since 94. Client banked
11 with UBS but not satisfied with" -- I was
12 -- this is --

13 Q. What portion of those two
14 sentences is untrue in your opinion?

15 A. We never banked with UBS, it
16 was just Lloyds.

17 Q. Additionally on right side
18 under the source of wealth heading, it says
19 quote "wealth was generated through his
20 medical practice. In the 1990s they were
21 invested in technology shares and made a
22 large part of their money buying shares on
23 recommendations of their stockbroker son."
24 The sentence goes on but end quote. Did I
25 read that correctly?

1 C. REYES

2 A. You did.

3 Q. Is that statement correct?

4 A. No, I don't think so.

5 Q. What portion of that statement
6 is incorrect in your opinion?

7 A. My stockbroker son. I don't
8 remember doing these things with my
9 stockbroker son.

10 Q. Was your son Alex a
11 stockbroker?

12 A. Not really.

13 Q. What makes you say "not
14 really"?

15 A. Because he didn't have -- he
16 may have worked around there but he wasn't
17 a stockbroker. He didn't sell and buy
18 stocks.

19 Q. Did he have education or
20 knowledge about stocks?

21 MR. LERNER: Objection.

22 Q. As best you know?

23 A. I don't know.

24 Q. Did Alex attend school after
25 high school?

1 C. REYES

2 A. Yeah.

3 Q. Where did you go to school?

4 A. Villanova.

5 Q. What did he study at Villanova?

6 A. Liberal arts I think.

7 Q. Do you know what subsection of
8 liberal arts he studied?

9 A. I don't know.

10 Q. Did he continue his education
11 after Villanova?

12 A. No.

13 Q. Where did he move after he
14 completed school?

15 A. He lived at home.

16 Q. He lived with you?

17 A. Like my daughter.

18 Q. Where did your daughter go to
19 school?

20 A. What's the name of the school?
21 I forget. The catholic school in the city.
22 Marymount.

23 Q. What did she study?

24 A. Education I think. She's a
25 part time teacher.

1 C. REYES

2 Q. In the city?

3 A. Yeah.

4 Q. You testified that the source
5 of funds for this account, the Lloyds
6 account, was from Dr. Reyes' parents,
7 correct?

8 A. Yes.

9 Q. Was there another source of
10 funds for the Lloyds account?

11 A. No. My mother-in-law is the
12 one who started that account, my in-laws.

13 Q. I understand that it's your
14 testimony that she started the account but
15 did anyone add any funds to the account
16 after it was started?

17 A. She may have.

18 Q. "She" being your mother-in-law?

19 A. Mm-hmm.

20 Q. Sorry, you said mm-hmm.

21 MR. LERNER: "Mm-hmm" isn't an
22 answer.

23 A. Yes.

24 Q. Did you ever make deposits into
25 the Lloyds Bank account through funds

1 C. REYES

2 generated through Dr. Reyes' medical
3 practice?

4 A. I don't recall.

5 Q. Did you ever deposit funds into
6 the Lloyds Bank account, or were funds ever
7 credited into the Lloyds Bank account from
8 investments in technology shares?

9 A. I don't know.

10 Q. Did you monitor the funds going
11 in and out of the Lloyds Bank account?

12 A. No.

13 Q. Do you know who did?

14 A. I don't really know.

15 Q. You don't really know, what
16 does that mean?

17 A. That I don't know.

18 Q. Up on the top left corner of
19 this page, it says client number.

20 A. Which page is that?

21 Q. The first page of Government
22 Exhibit 21, it says [REDACTED] 250. That's the
23 account number at issue in this litigation,
24 correct?

25 A. Mm-hmm.

1 C. REYES

2 Q. Did you mean yes?

3 A. Yes.

4 Q. We're done with Government
5 Exhibit 21. One more question associated
6 with Government Exhibit 21. It says
7 primary A/E and it lists a name.

8 A. I don't know.

9 Q. Do you remember that name?

10 A. Where?

11 Q. At the top left hand portion of
12 Government Exhibit 21.

13 A. No.

14 Q. You hesitated. What was the
15 cause of your hesitation?

16 A. Because I don't remember.

17 Q. Under the SKP, over to the
18 right of the primary A/E, do you recognize
19 that name?

20 A. Which name?

21 MR. LERNER: It looks like the
22 name is Natasha Lugon.

23 Q. You do not recognize that name?

24 A. No.

25 Q. The name to the right of the

1 C. REYES

2 SKP says L-U-G-O-N M-O-U-L-I-N, Natasha.

3 You don't recognize that name?

4 A. No. I have no idea.

5 Q. This document also says quote

6 "met clients for first time in 31.03.2006,

7 referencing March 31, 2006, on a business

8 trip to London by Bernard Gaughran,

9 G-A-U-G-H-R-A-N. Did you meet with a

10 person by that name on March 31, 2006?

11 A. I don't remember.

12 Q. Did Dr. Reyes meet with a

13 person by that name on March 31, 2006?

14 A. I don't know.

15 Q. Did Dr. Reyes ever go to the

16 United Kingdom without you?

17 A. I don't think so.

18 Q. So when it says clients, who is

19 it referring to?

20 A. I suppose us.

21 Q. When you say "us," you mean you

22 and Dr. Reyes?

23 A. Yes.

24 Q. Are you familiar with a report

25 of foreign bank and financial account

1 C. REYES

2 requirement often referred to as FBAR
3 requirement?

4 A. No.

5 Q. Are you familiar that if a US
6 person filing a tax return has an interest
7 in a foreign financial account, over a
8 certain amount, they have to report that on
9 their returns?

10 A. Now I am.

11 Q. Other than when I just stated
12 that, did you know what an FBAR requirement
13 was?

14 A. No idea.

15 MR. LERNER: Can we talk for a
16 minute?

17 MS. GLEN: Is this going to be
18 on the record?

19 MR. LERNER: Sure. Mrs. Reyes,
20 there came a time that you learned
21 about what FBAR is? You've heard the
22 term FBAR --

23 THE WITNESS: I vaguely heard
24 it but I really don't know.

25 MS. GLEN: I can do some

1 C. REYES

2 followup.

3 Q. I'm not asking for substance of
4 conversations but have you talked about the
5 FBAR requirement with Mr. Lerner before
6 today?

7 A. No, I don't remember discussing
8 about that.

9 Q. Did Lloyds Bank, or any of the
10 predecessor banks of the account that we've
11 been talking about today, ever discuss an
12 FBAR filing requirement with you?

13 A. No.

14 Q. Did Lloyds Bank, or any of the
15 predecessor banks, regarding the financial
16 account at issue in this lawsuit, ever
17 provide you with any documentation that
18 discussed an FBAR requirement?

19 A. Not that I recall.

20 Q. Did Lloyds Bank, or any of the
21 predecessor banks, regarding the financial
22 account at issue in this lawsuit, ever talk
23 with you about United States tax reporting
24 requirements?

25 A. Not that I recall.

1 C. REYES

2 Q. Have you ever filed an FBAR or
3 report of foreign bank and financial
4 account?

5 A. No.

6 Q. Before today, did you know you
7 had an FBAR reporting requirement for the
8 Lloyds Bank account for 2010 to 2012?

9 A. Well, I know Sidney Yoskowitz
10 filed all those papers so I guess that's
11 what you're talking about.

12 Q. So did Mr. Yoskowitz talk with
13 you about those papers you're referencing
14 before filing?

15 A. No.

16 Q. Did he obtain a signature from
17 you on the papers you're referring to
18 before filing?

19 A. I don't remember. He just gave
20 them to the attorney.

21 Q. Did you review any FBAR
22 paperwork provided to you from your
23 attorney before it was filed with the IRS?

24 A. No.

25 Q. Were you interviewed by the IRS

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C. REYES

regarding the FBAR for 2010 through 2012?

A. We had some sort of telephone interview at the office.

Q. With the IRS?

A. Mm-hmm.

Q. When you say "mm-hmm," what do you mean?

A. Yes.

Q. Who did you speak with at the IRS?

A. I have no idea.

Q. But it was someone from the IRS, correct?

A. Yeah, a group of people.

MS. GLEN: I'm going to ask the court reporter to mark the next document as Government Exhibit 22.

(Whereupon, Offshore Voluntary Disclosure was marked as Government Exhibit 22 for identification as of this date by the Reporter.)

Q. Before we look at Government Exhibit 22, did you ever seek advice on United States tax reporting requirements

1 C. REYES

2 for the Lloyds account?

3 A. No.

4 Q. Did you ever seek advice on any
5 other US reporting requirements for the
6 Lloyds account?

7 A. I don't remember.

8 Q. Government Exhibit 22 is Bates
9 Stamped IRS 0000275 through IRS 0000284.
10 Before we look at the specific document,
11 did you provide documents to the IRS during
12 or prior to the telephone interview for
13 FBAR from 2010 to 2012?

14 MR. LERNER: Objection.

15 Q. You may answer. Did you
16 provide documents?

17 MR. LERNER: Did you personally
18 give documents?

19 A. No, a lawyer did, if there were
20 documents.

21 Q. Did you meet with your lawyer
22 prior to the interview with the IRS that
23 you're referring to as a telephone
24 interview?

25 A. I think we may have.

1 C. REYES

2 Q. And you provided your lawyer
3 with documents about --

4 A. I didn't.

5 Q. Who did?

6 A. Sidney Yoskowitz.

7 Q. Where did Mr. Yoskowitz get
8 those documents that were given to the
9 attorney?

10 A. I'm not sure. I don't know.

11 Q. Did Mr. Yoskowitz obtain
12 documents from anyone other than you or Dr.
13 Reyes about your financial accounts?

14 A. I don't know.

15 Q. Did you authorize Mr. Yoskowitz
16 to obtain information about your financial
17 accounts?

18 A. Possibly. I don't remember.

19 Q. When you were interviewed by
20 the IRS, were you represented by Counsel
21 during the interview?

22 A. Counsel was present.

23 Q. Who else was present during
24 that phone call?

25 A. My husband.

1 C. REYES

2 Q. So it was you, Dr. Reyes, and
3 your attorney?

4 A. It was like a conference call.

5 Q. You just nodded your head.
6 Does that mean yes?

7 A. It was a conference call.

8 Q. You're still nodding your head.
9 Does that mean yes?

10 A. Ask the question again.

11 Q. Were you, Dr. Reyes, and your
12 attorney present for the interview with the
13 IRS?

14 A. Yes.

15 MR. LERNER: Off the record.

16 (Whereupon, an off-the-record
17 discussion was held.)

18 Q. What was the name of the
19 attorney present for the IRS interview?

20 A. Doug Allen.

21 Q. Is this the same attorney whose
22 name was referenced earlier in the letter?

23 A. Yes.

24 Q. Was there any other attorney
25 present for that call?

1 C. REYES

2 A. There was somebody else -- I
3 don't know who it was -- who worked in the
4 same office.

5 Q. Your son also worked in that
6 office, correct?

7 A. Yeah but he wasn't present.

8 Q. Did you request entry into the
9 offshore voluntary disclosure program with
10 the IRS?

11 A. Yes.

12 Q. When did you do that?

13 A. I don't remember.

14 Q. Why did you request entry into
15 the offshore voluntary disclosure program?

16 A. I don't remember why.

17 Q. Did anyone advise you to enter
18 into the offshore voluntary disclosure
19 program?

20 A. I don't know. I don't
21 remember.

22 Q. Did you seek advice on whether
23 you should enter the offshore voluntary
24 disclosure program?

25 A. I suppose I did but I don't

1 C. REYES

2 remember.

3 Q. Who did you seek advice from?

4 A. If I did seek advice, it would
5 have been from Doug Allen.

6 Q. Now you can focus your
7 attention on Government Exhibit 22.

8 A. Almost done?

9 Q. Do you need a break?

10 A. (Shakes head).

11 Q. You're shaking your head no,
12 correct?

13 A. (Nodding).

14 Q. Now you're shaking your head
15 yes. The first page of Government
16 Exhibit 22 says offshore voluntary
17 disclosure, correct?

18 A. This one?

19 Q. Yes.

20 A. Yeah.

21 Q. This document is dated March 4,
22 2014, and is addressed to the IRS, correct?

23 A. Yes.

24 Q. Moving to the fourth page,
25 Bates Stamped IRS 0000278, is that your

1 C. REYES

2 signature?

3 A. Yes.

4 Q. And above your signature, is
5 that your husband's, Dr. Reyes, signature?

6 A. Yes.

7 Q. Did you sign this document
8 under penalty of perjury, stating that
9 everything within it, to the best of your
10 knowledge and belief, is true and correct
11 and complete?

12 A. I just signed it.

13 Q. Did you sign it under the
14 penalty of perjury?

15 A. I wasn't thinking about
16 perjury.

17 Q. Why is that?

18 A. I was told to sign it and I
19 signed it.

20 Q. Is everything in this document
21 true, accurate and complete?

22 A. I think so.

23 Q. Is this a true and correct copy
24 of the offshore voluntary disclosure
25 letter, and attachments to offshore

1 C. REYES

2 voluntary disclosure letters that you
3 signed it and send to the IRS, on or about
4 March 4, 2014?

5 A. If that's what it says.

6 Q. Ultimately did you withdraw
7 from the offshore voluntary disclosure
8 initiative for 2005 through 2012?

9 A. Yeah, because we felt they
10 wanted too much money.

11 Q. When did you withdraw?

12 A. I don't remember.

13 Q. You said you withdrew because
14 you thought they were asking for too much
15 money. How did you come to that
16 determination?

17 A. It was more than half of the
18 amount of money. We paid about \$250,000 in
19 taxes and they wanted like 600 and I don't
20 know how many thousand dollars. That was
21 more than half.

22 Q. Who came to the determination
23 that you should withdraw from this program?

24 A. My husband and I, I guess.

25 Q. Did you seek advice from anyone

1 C. REYES

2 prior to making this determination to
3 withdraw?

4 A. We spoke to the lawyer.

5 Q. When you say the lawyer, who
6 are you talking about?

7 A. Doug Allen.

8 Q. Did you speak with anyone else
9 for advice?

10 A. No.

11 Q. I'm showing you what has been
12 marked --

13 A. And he agreed with us it was
14 too much money and on top of that, they
15 wanted -- I mean it's ridiculous the amount
16 of money they wanted. Then they said they
17 wanted a million dollars, a million dollars
18 plus the 200 whatever.

19 Q. When you "say," who are you
20 referring to?

21 A. IRS.

22 Q. Do you know who you spoke with?

23 A. I don't know. We spoke to
24 several people but I mean it's not right,
25 when that's all the money you have, and

1 C. REYES

2 then you see them spending all this money,
3 giving money here and there and then and --

4 Q. When you say it's all the money
5 you have, what do you mean by that?

6 A. All the money for renovation,
7 to do anything with. It's not right.

8 MS. GLEN: I'm going to ask the
9 court reporter to mark this document,
10 one page, as Government Exhibit 23.

11 (Whereupon, 10/14/16 Letter
12 from IRS was marked as Government
13 Exhibit 23 for identification as of
14 this date by the Reporter.)

15 THE WITNESS: And the worst
16 thing, in that building, we still
17 haven't gotten the CO and then we
18 have to get a mortgage. We have to
19 pay the bank almost \$1 million and
20 the interest rates have gone up, and
21 what we're paying the bank every
22 month for the money. It's really
23 awful. And they're going to go up
24 more too.

25 Q. When you're referring to

C. REYES

"they," are you talking about the interest rates?

A. Yeah. Look at this business, the railroad strike. They should do what Reagan did. When the controllers wanted to go on strike, you know what he did? He got the military controllers and they said no, they'll -- nothing happened. They should get the army to run those trains and give those guys a hard time instead of giving in to the 25 percent raise.

Q. If you can direct your attention to Government Exhibit 23. Is that your name and Dr. Reyes' name on the top left corner of this document?

A. Yes.

Q. Is this letter dated --

A. We probably spoke to this Chad Presnell.

Q. Is this letter dated October 14, 2016?

A. It is.

Q. Is the address there your address as of October 14, 2016?

1 C. REYES

2 A. I've been there for almost
3 50 years.

4 Q. Is this a true and correct copy
5 of a letter that you received from the IRS
6 dated October 14, 2016?

7 A. I don't remember.

8 Q. This letter says quote "this
9 letter responds to your indication that you
10 want to withdraw from the civil settlement
11 structure for your offshore voluntary
12 disclosure." Did I read that correctly?

13 A. Yeah because I told you,
14 because we thought it was too much money
15 and then you withdraw and they want even
16 more.

17 Q. Now that we've looked at this
18 document and established the date of it as
19 October 14, 2016, did you speak with anyone
20 else on or around that time about your
21 accounts at Lloyds Bank for 2010, '11, and
22 '12?

23 A. We weren't discussing anything
24 with Lloyds Bank anymore. We were
25 discussing it with Doug Allen.

1 C. REYES

2 Q. Did you discuss that account
3 with anyone other than Mr. Allen around the
4 date of this letter?

5 A. No.

6 Q. A long time ago you mentioned
7 that you were also an Irish citizen.

8 A. Yes, my mother was born in
9 Ireland.

10 Q. Is that why you're an Irish
11 citizen?

12 A. Yes.

13 Q. What does the process look like
14 to become an Irish citizen?

15 A. You just have to prove your
16 mother was born in Ireland.

17 Q. Why did you decide to do that?

18 A. Why not? Wouldn't you if you
19 were a a parent? I could become a Maltese
20 citizen too. My father was born in Malta.
21 That's why I asked you about Maltese.

22 MS. GLEN: If we can just take
23 a ten-minute break.

24 (Whereupon, a short recess was
25 taken.)

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C. REYES

(Whereupon, an off-the-record discussion was held.)

MS. GLEN: While we were off the record, Mr. Lerner found that Juan Reyes III was admitted to practice law on January 8, 1997. We've agreed to stipulate to that fact. Is that correct, Mr. Lerner?

MR. LERNER: Yes.

Q. During our break, Mrs. Lerner, did you speak to anyone about your testimony today?

A. No.

Q. Are you still feeling okay? We just have a few more questions.

A. A few more?

Q. Why did you want to move the money from the Lloyds account back to the United States?

A. Why?

Q. Yes.

A. We want to -- we needed it to do renovations. We needed the money.

Q. So did you just want it to be

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1 C. REYES

2 more accessible or why is moving it to the
3 United States, why was that going to help
4 you use it?

5 A. We wanted to deal with an
6 American bank, with Chase, my neighborhood
7 bank.

8 Q. And when you say "we," are you
9 referencing you and Dr. Reyes or anyone
10 else?

11 A. Yes, my husband.

12 Q. When did you start working with
13 Mr. Allen?

14 A. I don't remember that.

15 THE WITNESS: Do you, Richard?

16 MS. GLEN: It's okay. We'll
17 explore it through other avenues.

18 Q. Your amended returns that we
19 reviewed earlier today, were completed and
20 signed in 2014. Were you working with Mr.
21 Allen before or after the amended returns
22 were filed for 2010, '11 and '12?

23 A. We were working in that
24 timeframe. I don't know whether it was
25 before or what.

1 C. REYES

2 Q. Was Mr. Allen involved with the
3 creation or preparation of your form 1040X
4 amended returns for 2010, '11, and '12?

5 A. Sidney was.

6 Q. I understand. Was Mr. Allen
7 also involved?

8 A. I think Sidney sent him the
9 forms, the tax forms.

10 Q. And when you say "him", you
11 mean Mr. Allen?

12 A. Yeah, Sidney sent it to him.

13 Q. Did he send -- "he" being
14 Mr. Yoskowitz -- the forms to Mr. Allen?
15 Did they work together to create the draft
16 or how did that work?

17 A. I don't know exactly how they
18 did it.

19 Q. Did you receive a request for
20 production of documents from the United
21 States in this matter?

22 A. For today?

23 Q. In the course of this
24 litigation did the United States serve on
25 your counsel, Mr. Lerner, requests for

1 C. REYES

2 production of documents?

3 A. I don't know.

4 Q. Did Mr. Lerner --

5 MR. LERNER: I can do this.

6 Did Mr. Lerner ask you to give

7 documents --

8 THE WITNESS: I don't know.

9 Q. Did Dr. Reyes respond to Mr.
10 Lerner's request regarding documents? You
11 did not; is that correct?

12 A. I don't know what went on with
13 this.

14 Q. Okay. You were not involved in
15 compiling documents to provide in response
16 to the United States' request for
17 production of documents; is that correct?

18 A. Yes, I wasn't involved. All I
19 do is the medical billing. I don't know
20 the rest of this stuff.

21 MR. LERNER: Mrs. Reyes, do you
22 recall that I went to your house and
23 collected documents from you?

24 THE WITNESS: When?

25 MR. LERNER: If you don't

1 C. REYES

2 recall, just say you don't recall.

3 THE WITNESS: I don't remember.

4 Q. I'm going to give you two
5 exhibits at the same time.

6 MS. GLEN: I'm going to ask the
7 court reporter to mark Government
8 Exhibits 24 and 25.

9 (Whereupon, Plaintiff United
10 States First Set of Interrogatories
11 to Juan Reyes and Catherine Reyes was
12 marked as Government Exhibit 24 for
13 identification as of this date by the
14 Reporter.)

15 (Whereupon, Defendant's
16 Response to Plaintiff United States
17 of America's first set of
18 Interrogatories was marked as
19 Government Exhibit 25 for
20 identification as of this date by the
21 Reporter.)

22 THE WITNESS: May I ask you a
23 question?

24 MS. GLEN: Off the record.

25 (Whereupon, an off-the-record

1 C. REYES

2 discussion was held.)

3 MS. GLEN: Government

4 Exhibit 24 is titled Plaintiff United

5 States First Set of Interrogatories

6 to Juan Reyes and Catherine Reyes.

7 Government Exhibit 25 is a titled

8 Defendant's Response to Plaintiff

9 United States of America's first set

10 of Interrogatories.

11 Q. Is that correct?

12 A. That's what it says.

13 Q. Are Government Exhibits 24 and

14 25 true and correct copies of

15 interrogatories served on you in this

16 litigation and your answers?

17 MR. LERNER: Objection.

18 MS. GLEN: I can break it up.

19 Q. Government Exhibit 24, is this

20 a true and correct copy of the

21 interrogatories that were served on you in

22 this litigation by the United States?

23 A. For this litigation?

24 Q. Yes.

25 A. You want to know the truth?

1 C. REYES

2 This is the first time I saw it. I never
3 saw it.

4 Q. Moving to Government
5 Exhibit 25, is this a true and correct copy
6 of the responses you gave to the United
7 States interrogatories you gave in this
8 litigation? Yo can take a moment to
9 review.

10 A. I have two pages here. This is
11 when we had the phone conferences?

12 MR. LERNER: No.

13 Q. Is this a true and correct copy
14 of the responses you gave to the United
15 States in this litigation?

16 A. I don't know.

17 Q. You can take a moment to
18 review. The questions are asked --

19 A. And when was this, right now,
20 recently? Nobody asked me anything.

21 MR. LERNER: Off the record.

22 (Whereupon, an off-the-record
23 discussion was held.)

24 Q. If you can take a moment to
25 review Government Exhibit 24, it has

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1 C. REYES

2 questions; Government Exhibit 25 has
3 responses. Are the responses given in
4 Government Exhibit 25 true and correct
5 responses to the questions asked in
6 Government Exhibit 24?

7 A. Are these answers?

8 MR. LERNER: You're asking her
9 to go through each or is there one
10 you want to focus on?

11 MS. GLEN: No, I just want to
12 ask if they're correct, if she has
13 any updates.

14 MR. LERNER: Can we just read
15 them?

16 MS. GLEN: Yes.

17 A. Yeah, I think they're correct.

18 Q. Do you have any revisions or
19 updates to the answers provided in
20 Government Exhibit 25?

21 MR. LERNER: We're going to
22 have to --

23 MS. GLEN: That's fine.

24 MR. LERNER: That's going to
25 take time.

1 C. REYES

2 MS. GLEN: That's fine.

3 THE WITNESS: I have to go over
4 all of that?

5 MR. LERNER: Is there anything
6 you want to change in these answers?
7 Let's go off the record.

8 (Whereupon, an off-the-record
9 discussion was held.)

10 EXAMINATION BY

11 MR. LERNER:

12 Q. Mrs. Reyes, Interrogatory 1
13 asks you to identify all persons who
14 provided accounting or financial services
15 to you, including but not limited to the
16 preparation of your federal tax returns
17 from January 1, 2000 through December 31,
18 2012.

19 A. Sidney.

20 Q. Let me finish it. For each
21 person identified, please state such
22 person's title, the entity or association
23 with which such person is associated, if
24 any, and the time period during which such
25 person provided accounting or financial

1 C. REYES

2 services. Can you read your your answer to
3 yourself and see if you would revise that.

4 A. Sidney Yoskowitz. Number 1 is
5 the answer.

6 Q. So you would not revise it in
7 any way. Number 2 asks you to identify all
8 persons, other than the employees of Lloyds
9 TSB Bank, including any predecessor entity
10 of Lloyds TSB Bank, who had knowledge of
11 the existence of the account at any time
12 since January 1, 1972. For each person
13 identified, please state such person's last
14 known address, the basis for your knowledge
15 that such person was aware of the existence
16 of the account, and the time when such
17 person became aware of the account. Read
18 the answer to yourself.

19 A. Yeah, that's right.

20 MR. LERNER: May I suggest an
21 amendment to that?

22 MS. GLEN: Sure.

23 MR. LERNER: Alex knew about
24 the account.

25 THE WITNESS: Alex is dead.

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2 MR. LERNER: Yes but it's
3 asking all persons who knew so we'll
4 amend that to add Alex.

5 Q. Item 3 asks identify all
6 transactions included but not limited to
7 deposits into, withdrawals from, transfers
8 to/from, checks written on, or purchases or
9 sales of assets contained within, involving
10 the account between January 1, 1972 and
11 December 31, 2012, and there's a response?

12 A. That I had no recollection of
13 withdrawals or deposits, yeah.

14 Q. Independent of the
15 documentation. We'll read that out loud.
16 Did you answer Defendant's have no
17 recollection of withdrawals or deposits
18 independent of the documentation disclosed
19 simultaneously herewith?

20 A. Yes.

21 Q. Do you have anything to amend
22 in that answer?

23 A. No.

24 Q. 4, identify all bank accounts
25 or accounts into which you placed or

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C. REYES

transferred funds from the account described in interrogatory number 3. When answering this interrogatory, include the identify and location of the financial institutions, account numbers, and who has or had signature authority over the accounts or if the accounts were not closed, whether any funds remain in those accounts. Can you read your answer?

A. They're all at Chase.

Q. You have nothing to amend?

A. No.

Q. Number 5, state the legal and factual basis, if any, that you did not willfully fail to timely file a report of foreign bank and financial accounts with U.S. Department of Treasury reporting your account for 2010, 2011 and 2012.

A. Yeah, I agree with that.

Q. Okay. No amendment?

A. No.

Q. 6, identify all persons, professional or not, who you contend gave you any advice regarding the account,

1 C. REYES

2 including but not limited to whether you
3 were required to report the account to the
4 Internal Revenue Service, whether you were
5 required to report income earned on the
6 account, and whether you were required to
7 file a report of foreign bank and financial
8 accounts with the U.S. Department of
9 Treasury. Have you read your answer to 6?

10 A. Yes.

11 Q. And do you have any amendments?

12 A. No.

13 Q. Question 7, state the number,
14 dates, duration and purpose of any visits
15 that you made to England from January 1,
16 1972, to December 31, 2012.

17 A. To visit family.

18 Q. Do you have any amendments to
19 that based on --

20 A. No. I never went to
21 Switzerland, that's true.

22 Q. I just read 7 for England,
23 right? State the number, dates, duration
24 and purpose of any visits that you made to
25 Switzerland from January 1, 1972, to

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C. REYES

December 31, 2012.

A. I've never been to Switzerland.
Have you? Am I missing anything?

Q. Number 9, identify each
conversation that you had with any
employee, agent, or representative of
Lloyds TSB Bank, including any predecessor
entity at Lloyds TSB Bank from January 1,
1972 to December 31, 2012.

A. I have no recollection.

Q. To continue, when answering
this interrogatory, state the date of the
conversation, with whom you spoke, where
the conversation took place, whether the
conversation took place in person or over
the telephone, and what was discussed
during such conversations. Do you have
anything to add or amend in the answer to
9?

A. No.

Q. Number 10, identify all
financial accounts in any country other
than United States, including the account
number, and the name and country of the

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financial institution at which the account was based, in your name or over which you had signature authority, at any time since January 1, 1972. Do you have any amendment to that?

A. No. Number 11, that answer is right.

Q. State how you disclosed the existence account to IRS. When answering this interrogatory, include the date on which you first disclosed the existence of the account to the IRS, the IRS employee to which you made such disclosure, and describe the circumstances under which the disclosure took place.

A. Doug Allen did that. I don't know the rest of the stuff.

Q. Is there any amendment to 11?

A. No.

Q. 12, identify any credit card linked to the account, and for each credit card so identified, state the name of the financial institution that issued the credit card, the credit card account

1 C. REYES

2 number, and the date and amount of any
3 transactions in which you used the credit
4 card to pay for your living expenses
5 incurred in the United States.

6 A. I don't have any credit cards.

7 Q. 13, Identify every individual
8 or entity that possesses knowledge or
9 information about the matters and factors
10 involved in this case, including such
11 individual's or entity's full name, last
12 known address, and telephone number. Is
13 there any amendment to number 13 that you
14 might have?

15 A. No.

16 EXAMINATION BY

17 MS. GLEN:

18 Q. The only follow-up question I
19 have is regarding number 6. You stated
20 that Dr. Reyes' parents provided advice
21 regarding the account, including but not
22 limited to whether you were required to
23 report the account to the Internal Revenue
24 Service, whether you were required to
25 report income earned on the account, and

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2 whether you were required to file a report
3 of foreign bank and financial account with
4 the U.S. Department of Treasury. What
5 advice did Dr. Reyes' parents provide to
6 you?

7 A. Well, I don't remember. I
8 don't remember.

9 Q. You remember that they did
10 provide you advice?

11 A. Yeah, that it was our money and
12 they were controlling it. I don't
13 remember.

14 Q. Before --

15 MR. LERNER: When you said it
16 was "our money," what did you mean by
17 that?

18 THE WITNESS: That his mother.

19 MR. LERNER: By "our," you mean
20 that the parents thought it was the
21 parents' money.

22 THE WITNESS: Yes.

23 Q. Before wrapping up Mrs. Reyes,
24 once the court reporter is finished typing
25 up the transcript of what happened today,

1 C. REYES

2 there will be a copy delivered to you to
3 review and sign. We would ask that you
4 review it and --

5 A. I'm so bad at that.

6 Q. And any transcription errors,
7 between now and the time you get that, if
8 you want to change the substance of any of
9 your testimony, you can do that but when
10 you do that you have to do what's called an
11 errata sheet explaining why you're making
12 those changes. Once you've done those
13 things, we would just ask that you sign it
14 and produce it. Do you agree to do that?

15 A. Yes.

16 MS. GLEN: That concludes my
17 questioning. I turn the witness over
18 for cross if you have any.

19 MR. LERNER: No, I think Mrs.
20 Reyes needs to go home.

21 MS. GLEN: Then we are done.

22 (Whereupon, at 4:10 P.M., the
23 Examination of this witness was
24 concluded.)

25 o o o o

C. REYES

D E C L A R A T I O N

I hereby certify that having been
first duly sworn to testify to the truth, I
gave the above testimony.

I FURTHER CERTIFY that the foregoing
transcript is a true and correct transcript
of the testimony given by me at the time
and place specified hereinbefore.

CATHERINE REYES

Subscribed and sworn to before me
this ____ day of _____ 20__.

NOTARY PUBLIC

Job No. CS5573403

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E X H I B I T S

PLAINTIFF ' S EXHIBITS

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2	2010 1040X Income Tax Form	37
3	2011 Federal Income Tax Return	42
4	2011 Amended 1040X Tax Return	45
5	2012 Federal Income Tax Return	51
6	2012 Amended 1040X Tax Return	55
7	Certificate of Non-Willful Conduct	78
8	March 2012 Statement of Assets and Liabilities	86
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22	Offshore Voluntary Disclosure	174
23	10/14/16 Letter from IRS	183
24	Plaintiff United States First Set of Interrogatories to Juan Reyes and Catherine Reyes	191
25	Defendant's Response to Plaintiff United States of America's first set of Interrogatories	191

(Exhibits retained by Court Reporter.)

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C E R T I F I C A T E

STATE OF NEW YORK)
: SS.:
COUNTY OF NEW YORK)

I, ENRIQUE ALVARADO, a Notary Public
for and within the State of New York, do
hereby certify:

That the witness whose examination is
hereinbefore set forth was duly sworn and
that such examination is a true record of
the testimony given by that witness.

I further certify that I am not
related to any of the parties to this
action by blood or by marriage and that I
am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 13th day of December 2022.



ENRIQUE ALVARADO

Richard Lerner, Esq.

Richard@mazzolalindstrom.com

December 14, 2022

RE: United States Of America v. Reyes, Juan And Catherine
12/1/2022, Catherine Reyes (#5573403)

The above-referenced transcript is available for
review.

Within the applicable timeframe, the witness should
read the testimony to verify its accuracy. If there are
any changes, the witness should note those with the
reason, on the attached Errata Sheet.

The witness should sign the Acknowledgment of
Deponent and Errata and return to the deposing attorney.
Copies should be sent to all counsel, and to Veritext at
erratas-cs@veritext.com

Return completed errata within 30 days from
receipt of testimony.

If the witness fails to do so within the time
allotted, the transcript may be used as if signed.

Yours,

Veritext Legal Solutions

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Catherine Reyes

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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